

# ORDERS,

288 2/13  
Essential, Fundamental and Standing Orders, Reports, Declarations, Memorandums, Rules, Agreements and Resolutions of the House of COMMONS relating to their Forms of Proceeding, Privileges, &c.

Collected out of the JOURNALS.

And the Matter relative to the same Subject chronologically connected, whereby the Judgment of the House at sundry Times, is at once seen.

To which are added,

Proceedings of the House against the Honourable Mr. MURRAY.

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The SECOND EDITION, Corrected and Brought down to this Time.

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L O N D O N:

Printed for JAMES LYMAN; and Sold by the BOOKSELLERS of London and Westminster. 1756.



# ORDERS

Resolved, That the Committee on the  
Joint Committee on the  
and Resolutions of the  
COMMONS, relating to the  
of the same, be and they are

And the Minutes of the  
of the same, be and they are  
of the same, be and they are

To which be referred

The Committee on the  
of the same, be and they are

The Committee on the  
of the same, be and they are

The Committee on the  
of the same, be and they are

The Committee on the  
of the same, be and they are

TO THE  
RIGHT HONOURABLE  
The Earl of *EGMONT*, and  
Viscount *PERCIVAL*,

One of His MAJESTY's most Honourable Privy Council, and Member of Parliament for *Bridgewater*.

My LORD,

**H**OWever you may be surpris'd at the Liberty I have taken in presuming thus to address you, without your Permission; yet, my Lord, though conscious of the *Indecorum*, I chose rather to rely on your Goodness in forgiving it, than risque your refusing me the Opportunity of paying the Tribute of Esteem and Honour, which in Concurrence with Mankind, I have for your Lordship; an Honour resulting not from the accidental Advantage of your illustrious Descent, but personal Merit, and intrinsic Worth: For the public Voice proclaims you possess a Soul with every Virtue fraught, and Abilities to adorn the highest Stations, in which they ardently wish to see, and repine that you are not rais'd to: Confident that that noble Spirit (which influenced you to animate his late Royal Highness, when first Lord of his Bed-chamber, to persevere in obeying the Dictates of his truly

## DEDICATION.

*Princely Disposition (in doing a thousand gracious and generous Actions, which rendered him revered, and the Delight of the World) would be displayed in making the Welfare of Mankind your Care. That the Love of your Country was the first Principle of your Nature, appeared in the Dawn of your Life, even when you was but rising into Manhood, you manifested such a Zeal for its Happiness and Glory, as is seldom seen at so juvenile a Season; and that LOVE still clings about your Heart, is conspicuous from your Conduct in so many Parliaments into which you have been chosen with so much Honour.*

*My LORD, tho' it is but bare Justice I should here give you the Applause which your Actions deserve, yet I might incur the World's Censure, should I offer to delineate your Lordship's noble Character, which, as it would employ a Pen equal to your own to portray, I shall therefore suppress my Inclination to attempt, as it would be undertaking the Flight of an Eagle, with the Wings of a Wren.*

I am,

With the Highest Honour,

YOUR LORDSHIP'S

Most Devoted

Humble Servant,



## P R E F A C E.

**T**H E Importance of this Book is so great, that whosoever peruses it, will find himself interested in it, as the Word PRIVILEGE is become as *Powerful* as the Word LAW; and that Ignorance may be held as insufficient a Plea, in transgressing against the One as the Other.

The very Members of the House are subject to *Penalties*, as well as intitled to *Privileges*,  
which



## P R E F A C E.

which probably many of them have no Conception of : Therefore it is highly incumbent on them to be conversant with those Rules by which they are to regulate their own and others Conduct, not only in that August Assembly, but the whole Kingdom, if not the whole World.

THE



THE  
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# ORDERS.

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*Against Obstructions in the Streets, and Gaming in Westminster-Hall, &c. For keeping the Lobby and Stairs clear of Footmen, Chairmen, Coachmen, &c.*

1667, 12 Feb. Ordered,

**T**HAT the Constables, and other Officers of *Middlesex* and *Westminster* concerned, do take Care, that from eight of the Clock in the Morning, 'till two in the Afternoon, being the usual Times of the Meeting and Rising of this House, the Passages through the Streets between *Temple-Bar* and *Westminster-Hall*, be kept free and open; and that no Obstruction be made by Carts, Drays, Cars, or otherwise, to hinder the Passage of the Members to and from this House; and the Serjeant at Arms attending this House, is to give Notice of this Order, and it is referred

B

to

to Mr. *Done* and Mr. *Bonithon*, Justices of the Peace for the County of *Middlesex*, to see this Order executed and performed.

1685, 19 *Nov.* Altered from Ten to Four in the Afternoon.

1735, 16 *Jan.* Altered from Eleven to One, and from Four to Six in the Afternoon. This ordered to be revived annually.

1715, 21 *Jan.* Ordered, That the Justices of the Peace for the Cities of *London* and *Westminster*, do take Care that the Scavengers keep the Passages through the Streets between the *Royal-Exchange* and *Westminster-Hall*, free and open from all Nuisances whatsoever; and that there be no Obstruction to hinder the Passage of the Members to and from this House; and that the Serjeant at Arms attending this House, do give Notice of this Order to the Justices aforesaid.

1739, 8 *Feb.* The House was moved, That the Journal of the House of the 21 Day of *Jan.* 1715, in Relation to their Order to the Justices of the Peace for the Cities of *London* and *Westminster*, might be read, and the same was read accord-

accordingly; and the same Order for keeping the Streets free and open was made.

1754, 16 Jan. A Complaint being made to the House, That *John Lomas*, one of the Constables in Waiting, was yesterday obstructed in the Execution of the Order of the House, made upon *Friday* the 16th of *November* last, for keeping the Passages through the Streets between *Temple-Bar* and *Westminster-Hall* free and open, during the therein-mentioned Time.

1754, 17 Jan. Resolved, That it appears to this House, that *Henry Noble*, a Constable of the City of *Westminster*, did on *Tuesday* last, in the Morning, between the Hours of eleven and twelve of the Clock, in a forcible Manner, near *Charing-Cross*, obstruct *John Lomas*, another Constable of the said City (then in Waiting, and endeavouring to put in Execution the said Order of this House) in Contempt of the said Order, and in Breach of the Privilege of this House.

Ordered, That the said *Henry Noble* be, for his said Offence, committed Prisoner to the Prison of the *Gate-House*; and that Mr. *Speaker* do issue his Warrant accordingly.



1697, 28 Jan. Ordered, That Mr. Speaker do issue his Warrant to the High-Constable of *Westminster*, that the Constables in *Westminster* do take care there be no Gaming or other Disorders in *Westminster-Hall* during the Sitting of Parliament.

1699, 12 Dec. Ordered, The Constables in Waiting do take Care that there be no Gaming, or other Disorders, in *Westminster-Hall*, during the Sitting of Parliament; and that there be no Annoyance by Chairmen, or otherwise, thereabouts.

*Resolved*, That these Orders be sent to the High-Bailiff of *Westminster*, and that he do see the same put in Execution.

1700, 19 Feb. Ordered and declared a standing Order. These Orders renewed every Session.

1729, 14 Jan. Ordered, That the Serjeant at Arms, attending this House, do take Care that there be no Gaming, or other Disorders, in the Room now fitted up for the Footmen, attending the Members of this House to wait in. Revived every Session.

1747, 16 Nov. *Ordered*, That the Constables in Waiting, do take Care that there be no Gaming, or other Disorders in *Westminster-Hall*, or the Passages leading to the House, during the Sitting of Parliament; and that there be no Annoyance by Chairmen, Footmen, or otherwise, therein or thereabouts; that the said Orders be sent to the High-Bailiff of *Westminster*, and that he do see the same put in Execution.

*Ordered*, That the Serjeant at Arms, attending this House, do take into his Custody such Footmen as shall presume to disobey the Orders of the House; and that no such Footmen be discharged out of Custody, but by special Order of the House. Revived annually.

1641, 28 Jan. *Ordered*, That if any Footmen, or other Person whatsoever, shall offer any Affront or Abuse to the Guards appointed to attend this House, that the Guards shall apprehend such Persons, and bring them to this House to receive condign Punishment: And it is likewise ordered, that no Footman that belongs to any Member of this House, or to any other, shall come up

the Stairs of this House, or stand on the Stairs.

1666, 13 *Oct.* *Ordered*, That no Pages, Footmen, or Footboys, be suffered to be in any of the Lobbies, or on the Stairs leading to the House, during the Sitting of the House; and that the Serjeant at Arms do take care to put this Order in Execution.

1685, 4 *June*. The same Order, and the Footmen to attend in the Hall.

1699, 5 *March*. Revived.

1670, 12 *Nov.* *Ordered*, That no Lacquey or Footman belonging to any Member of this House, or other Gentlemen's Servants, do hereafter presume to stand upon any Part of the Stairs leading up to this House; and in Case any of them shall do contrary hereunto, such Lacquey or Footman is to be sent to the House of Correction, and the Serjeant at Arms attending this House, is to see that this Order be set up at the further Door of the Lobby.

1672, 7 *Feb.*

1675, 16 *Ap.*

1676, 22 *Dec*

8 and 22 *Feb.*

} Revived.

1721, 31 *July*, The Serjeant order'd to take them into Custody, and Knights-Marshall's Officer to assist the Serjeant.

1685, 4 *June*. *Ordered*, That the several Members of this House be desired to disarm their Footmen and Lacquies attending this House.

1688, 22 *Jan*. *Ordered*, That the Serjeant at Arms attending this House, do take especial Care to keep the Stairs and Passage to the House, free from Interruption by Footmen and Lacquies; and that no Footman or Lacquey do presume to stand upon the Stairs, whereof they are required to take especial Notice, and demean themselves accordingly; and that this Order be affixed on the Doors of *Westminster-Hall*, and the Posts and other convenient Places adjacent to this House.

1695, 20 *Dec*. Revived.

1695, 8 *Feb*. On Complaint, to be taken into Custody.

1693, 3 *Jan*. *Ordered*, That the Serjeant at Arms do take care to keep the Stairs clear from Footmen, and that he do take into his Custody such of them as shall behave themselves rudely; and that the Constables of *Westminster* do



take care, that the Passages in and about *Westminster-Hall*, be kept clear from Chairmen and Coachmen, so that they may not stop or annoy the Members of this House, and this Order to be affixed upon *Westminster-Hall* Gate, and the Lobby of this House.

1699, 18 *Jan.* Made a standing Order.

1720, 16 *Mar.* To be taken into Custody, and not discharged but by special Order of the House.

1699, 27 *Jan.* Ordered, That the Serjeant at Arms, and his Messengers, do take all possible Care to keep the Lobby, Passages, and Stairs of the House, clear of all loose, idle, and disorderly Persons.

1747, 16 *Nov.* Ordered, That no Footman be permitted to be within the Lobby of the House, or upon the Stairs leading thereto. Revived annually.

1739, 8 *Feb.* Complaint being made to the House, that great Numbers of idle and disorderly Persons do daily, under the Pretence of asking Charity, infest the Streets and public Places of the City and Liberty of *Westminster*, to the great Annoyance and Interruption of the Members

bers of this House in their Passage to and from this House, and of other Persons going on their lawful Occasions, notwithstanding the great Collections which have been made for the Relief of the Poor, during the present severe Season, over and above the Provision of the respective Parishes for that Purpose.

*Ordered*, That Mr. Speaker do send to the Justices of the Peace for the said City and Liberty, and to the Vestries of the respective Parishes there, that Directions may be given forthwith by them to the Beadles, Constables, and other Officers of the said respective Parishes, to put the Laws in Execution against all idle and disorderly Persons, who shall be found infesting the Streets, and other publick Places of the said City and Liberty, under Pretence of asking Charity.

*Papists not to come near the House during this Parliament.*

1690, 10 Dec. *Ordered*, That no Papists do presume to come into *Westminster-Hall*, the Court of Requests, or

Lobby of this House, during the Sitting of this Parliament; and this Order to be pasted up at *Westminster-Hall Gate*, and in the Lobby of this House, and that the Serjeant at Arms attending this House, do take into Custody all such Persons as shall offend against the said Order.

**ORDERS** *for setting up Lamps, and for bringing in Candles.*

1699, 8 Dec. Ordered,

**T**HAT Lamps be set up every Night upon the Stairs to this House, and in the Passages and other convenient Places, for the better Accommodation of the Members in their Attendance upon Committees.

1700, 19 Feb. Ordered, That Lamps be set up every Night upon the Stairs to this House, and in the Passages and other convenient Places, for the Accommodation of the Members in their Attendance upon the Service of the House and Committees. Ordered and declared a standing Order.

1701, 19 Feb. Ordered, That the Serjeant at Arms do give Notice to the proper

per Officer, that there be more Lamps or Lights set up in convenient Places leading to, and in the Passages about the House, and the Streets leading thereto.

1717, 6 Feb. *Ordered and declared*, That when the House shall be Sitting, and Day-light shall be shut in, that the Serjeant at Arms attending this House, do take care that Candles be brought in, without any particular Order for that Purpose.

*Resolved*, That the said Order, be a standing Order of the House.

**COLLECTIONS** *for the Officers of the House, recommending them to the King for Salaries, and Fees to be taken by them.*

1625, 14 Aug. *Resolved*,

**T**HAT every Knight of the Shire is to pay ten Shillings, and every Burgefs five Shillings, according to the Note delivered in by the Committee for *London*, &c. and whosoever is absent to pay double. The Sum collected, 112*l.* 10*s.* 4*d.*

1641, 24 June. *Resolved upon the Question*, That every Knight shall pay twenty Shillings, and every Burgeſſs ten Shillings, to be diſpoſed of, by Order of this Houſe, among ſuch Officers as they ſhall think fit, for a Reward for their ſeveral great Pains.

*Resolved, &c.* That theſe Monies ſhall be paid in by *Monday* next.

*Resolved, &c.* That thoſe that have not paid in their Monies by *Monday* next, ſhall pay double.

*Moved*, That the Houſe might be kept ſweet and clean; and the Serjeant was required to take care, that it might be ſo kept accordingly.

1644, 13 Dec. *Ordered*, That no private Ordinance do paſs this Houſe, or be tranſmitted to the Lords, until the Parties that are concerned therein, do firſt pay ſuch Fees for the ſame unto Mr. *Speaker*, the Clerk, Serjeant, and others belonging to the ſaid Houſe, as hath uſually been paid upon the paſſing of private Bills; and all Members, that from any Committee, wherein the Advantage or Benefit of any private Perſon is concerned, are deſired to take Notice  
of



of this Order, and to acquaint the Persons that are, or shall be concerned herewith ; and to appoint them first to pay such antient and accustomed Fees, as aforesaid, to Mr. Speaker, the Clerk, and other the Officers of the said House.

1662, 16 May. *Ordered*, That every Knight of the Shire, now present in Town, do give amongst the Servants of the House of Commons, ten Shillings ; and every Citizen, Burgess, or Baron, now in Town, five Shillings ; and every Knight, Citizen, Burgess or Baron, that is absent, to give double the said Sums of ten Shillings, and five Shillings, respectively amongst the said Servants ; and that if any of the Members that are present do not pay in their Monies before *Tuesday* Morning, such as shall fail shall be taken as absent, and pay double the Sums before-mentioned respectively ; and the said Monies are to be paid in to Mr. *Sharp*, Deputy to the Clerk of this House, and is to be distributed amongst the Servants by Mr. Speaker.

|                 |   |          |
|-----------------|---|----------|
| 1664, 12 May,   | } |          |
| 1666, 2 Jan.    |   |          |
| 1688, 24 April, |   |          |
| 1670, 4 March,  |   |          |
| 1672, 24 March, |   | Revived. |
| 1678, 31 May,   |   |          |
| 1689, 31 Oct.   |   |          |
| 1690, 15 Dec,   |   |          |
| 1695, 1 Jan.    |   |          |

1700, 6 Ap. The Clerk of the House, Serjeant at Arms, Clerk Assistant, and other Clerks and Officers of this House, having served with great Diligence and Fidelity, and being but slenderly provided for.

*Resolved*, That the said Clerk of the House, Serjeant at Arms, Clerk Assistant, and other Clerks and Officers, be humbly recommended to his Majesty, that they may have competent Salaries, answerable to their Trust and Services, settled upon them.

1731, 22 Feb. *Resolved*, That all Fees, to be demanded or taken by any Officer or Servant of the House, be fixed according to the Rate of the List of Fees entered in the Journal of the Year 1700; and that Tables of the same, being first perused by Mr. Speaker, be printed and hung

hung up in the Speaker's Chamber, in the Lobby, and in the Clerk's Office; and that the Clerk take care to renew such printed Tables from Time to Time, as Occasion shall require, and to preserve them always fair and legible.

*Resolved and Declared, Nemine Contradicente,* That if any Officer or Servant of this House, shall presume to demand, or take any greater Fee than what shall be contained in the said printed Tables, this House will proceed against such Officer or Servant with the utmost Severity.

*Ordered,* That the said Resolutions be standing Orders of the House.

*Ordered,* That the said Resolutions be printed with the said Table.

*A TABLE of FEES to be demanded and taken by the Officers and Servants of the honourable House of Commons.*

*To Mr. Speaker.*

|                                   |       | <i>l.</i> | <i>s.</i> | <i>d.</i> |
|-----------------------------------|-------|-----------|-----------|-----------|
| <b>F</b> OR every private Bill    | —     | 5         | 0         | 0         |
| For every private enacting Clause | — — — | 5         | 0         | 0         |
|                                   |       |           |           | And       |

And if the Bill concerns a County or Counties, Corporation or Corporations, or in the Case of such-like Bills, called double Bills — — 10 0 0

*To Mr. Speaker's Secretary.*

For every private Bill — 0 10 0

For every private enacting Clause 0 10 0

And if the Bill concerns a County or Counties, or Corporation or Corporations, or in the Case of such like Bills, called double Bills — — 1 0 0

For every Warrant signed by Mr. Speaker for a new Writ, Commitment, Discharge, or Witness to attend — — 0 10 0

*To the Clerk, and the Officers under him.*

*To the Clerk.*

|                   |                          |   |    |   |       |
|-------------------|--------------------------|---|----|---|-------|
|                   | For the several Readings | 3   | 13 | 4 |       |
| Private<br>Bills, | {                        | For Breviating, Amendments, interlocutory Orders, and other Proceedings | —  | — | 1 5 0 |
|                   |                          | For the Order of Commitment   | —  | — | 0 6 8 |
|                   |                          | For every private enacting Clause                                       | 5  | 0 | 0     |

And

And if the Bill concerns a County or Counties, or Corporation or Corporations, or in the Case of such-like Bills, called double Bills — — 10 0 0

For every Order upon Motion, or Petition, or Committees appointed in private Matters, or Copies of them, or of Committees in publick Matters; taken out by any Person — — — 0 6 8

For every Order for the Commitment or Discharge of any Person — — — 0 6 8

For Copies of all Petitions, Reports, or other Matters out of the Journals, if under ten Sheets — — — 0 6 8

— if above ten Sheets, per Sheet — — — 0 1 0

For every Search in the Journals 0 6 8

For Copies of Bills per Sheet 0 1 0

— but if for Members — 0 0 4

For engrossing Bills, per Press 0 12 6

For every Hearing at the Bar, from each Side — — — 1 13 4

For



|   |   |    |   |
|---|---|----|---|
| For attending Committees of the whole House, or grand Committees in private Concerns  | o | 13 | 4 |
| And for preparing the Report, and transcribing — —  | o | 10 | 0 |
| For reading at the Table, and entering in the Journal, a Report in private Matters, if long — —   | o | 10 | 0 |
| — if short — —  | o | 6  | 8 |
| For swearing every Member without and within Doors (upon the Clerk of the Crown's Return upon any Vacancy) after the Sessions begun, and filing the Certificate, and entering it in the Return-Book | I | 5  | 0 |
| For the Test, by Act of Parliament, at the Table —  | o | 1  | 0 |
| For swearing every Person at the Table, in order to be naturalized — — —  | o | 13 | 4 |

*To the Clerk-Assistant.*

|  |   |   |   |
|--|---|---|---|
| For every private Bill —   | I | 0 | 0 |
| For every private enacting Clause  | I | 0 | 0 |
| And if the Bill concerns a County or Counties, or Corporation or Corporations, or in the |   |   |   |

Cafe

Case of such-like Bills, called

double Bills — — 2 0 0

3 4 For every Hearing at the Bar,  
from each Side — — 0 6 8

0 0 For attending Committees of the  
whole House, or grand Com-  
mittees, in private Concerns 0 6 0

For every Order of such Com-  
mittees — — 0 5 0

6 8 For reading every Petition in pri-  
vate Matters — — 0 2 8

*To the Clerk of the Committee of Elections.*

For attending the Hearing the  
Merits of the Cause — 0 13 4

For drawing the Report 0 6 8

5 0 For a fair Copy of the Report  
for the Chairman — — 0 3 4

0 For each Exhibit — — 0 2 0

For the Examination of a Wit-  
ness — — — 0 2 6

3 4 For each Order of the Com-  
mittee — — — 0 5 0

0 0 *To the four Clerks without Doors attend-  
ing upon Committees.*

For attending to adjourn a Com-  
mittee upon a private Bill, or  
Petition — — — 0 3 4

Case For

For attending a Sitting of the  
Committee upon such Bill or  
Petition — — — o 6

For drawing and transcribing the  
Report for such Committee o 6

And where the Bill or Petition  
concerns a County or Corpo-  
ration, or Body of People, in  
such-like Cases (in which  
double Fees are paid to the  
Officers of the House) double  
Fees.

For a Summons for a Witness  
to attend a Committee — o 2

For examining a Witness, or  
taking the Consent of a Par-  
ty to the passing of a Bill o 2

For every Deed, or other Ex-  
hibit, made Use of before the  
Committee — — — o 2

*To the chief Clerk without Doors (being  
one of the four Clerks without Doors)  
who receives the Fees, and pays them  
to the Officers of the House; for so  
doing,*

For every private Bill — — — o 10

For every private enacting Clause o 10

And

And if a Bill concerns a County  
or Counties, Corporation or  
6 Corporations, or in the Case of  
such-like Bills, called double  
6 Bills, a double Fee — 1 0 0

*To the Serjeant and Officers under him.*

*To the Serjeant.*

For every private Bill — — 1 5 0  
For every private enacting Clause 1 5 0  
And if the Bill concerns a Coun-  
ty or Counties, or Corpora-  
tion of Corporations, or in  
2 the Case of such-like Bills,  
called double Bills — 1 10 0  
For taking a Knight into Custody 5 0 0  
2 For taking a Gentleman into  
Custody — — 3 6 8  
For one Day in Custody 1 6 8  
2 For every Day in Custody 1 0 0  
From every Knight of the Shire,  
when sworn into the House  
(upon the Clerk of the  
Crown's Return upon any  
Vacancy) after the Sessions  
begun — — 0 10 0  
From every Burgeſſs, upon ſuch  
Vacancy — — 0 5 0

From

|  |   |   |   |   |    |
|--|---|---|---|---|----|
| From every Person sworn at the<br>Table, in order to be natura-<br>lized | — | — | — | o | 12 |
| For every Counsel pleading at<br>the Bar, or before any Com-<br>mittee   | — | — | — | o | 10 |
| For bringing a Criminal to the<br>Bar                                    | — | — | — | o | 6  |
| For riding Charges, for every<br>Mile                                    | — | — | — | o | o  |

*To the House-Keeper.*

|   |   |   |   |    |   |
|---|---|---|---|----|---|
| For every private Bill  | — | — | o | 5  | o |
| For every enacting Clause   |   |   | o | 5  | o |
| And if the Bill concerns a Coun-<br>ty or Counties, or Corpora-<br>tion or Corporations, or in<br>the Case of such-like Bills,<br>called double Bills | — |   | o | 10 | o |
| For every private Committee   |   |   | o | 5  | o |
| For every Hearing at the Bar  |   |   | o | 10 | o |
| For every Prisoner discharged<br>by the House   | — | — | o | 5  | o |

*To the two Door-Keepers.*

|                            |   |   |   |   |
|----------------------------|---|---|---|---|
| For every private Bill     | — | o | 5 | o |
| For every private enacting |   |   |   |   |
| Claufe                     | — | — | o | 5 |

And



|    |   |   |   |    |   |
|----|---|---|---|----|---|
|    | And if the Bill concerns a County or Counties, or Corporation or Corporations, or in the Case of such-like Bills, called double Bills | — | o | 10 | o |
| 12 | For attending a Hearing at the Bar in private Matters   |   | o | 7  | 6 |
| 10 | For delivering Papers at the Door   | — | o | 5  | o |
| 6  | Upon the Discharge of every Prisoner, to each   | — | o | 2  | 6 |
| o  | From every Member sworn (upon the Clerk of the Crown's Return upon any Vacancy) after the Sessions begun                              | — | o | 5  | o |

*To the four Messengers.*

|     |                                |   |   |   |
|-----|--------------------------------|---|---|---|
|     | For serving any Summons of     |   |   |   |
| 0 0 | the House in private Matters   | 0 | 6 | 8 |
| 5 0 | For serving the Orders of Com- |   |   |   |
| 0 0 | mittees in private Matters     | 0 | 2 | 6 |
|     | For attending a Prisoner per   |   |   |   |
| 5 0 | Diem — —                       | 0 | 6 | 8 |
|     | For keeping the Door at a pri- |   |   |   |
|     | uate Committee — —             | 0 | 2 | 6 |

1746, 12 June. Resolved, That the Serjeant at Arms attending this House, is intitled to, and ought to take and

and receive from every Person who shall be brought to the Bar of this House, to be reprimanded by Mr. Speaker, the Fees following; viz. the Fee of 5l. or 3l. 6s. 8d. (according to the Table of Fees) for taking a Person into Custody; the Fees for one Day in Custody, viz. 1l. for himself, and 6s. 8d. for the Messenger; and the Fee of 6s. 8d. for bringing a Criminal to the Bar.

1751, 13 June. *Resolved*, That every Bill for the particular Interest or Benefit of any Person or Persons, whether the same be brought in upon Petition or Motion, or Report from a Committee, or brought from the Lords, hath been, and ought to be, deemed a private Bill, within the Meaning of the Table of Fees.

*Resolved*, That every enacting Clause, so brought in upon Petition, Motion, or Report, or brought from the Lords, for a particular Interest or Benefit, hath been, and ought to be, deemed a private enacting Clause, within the Meaning of the said Table of Fees, whether the Bill, in which such Clause is inserted, be publick or private.

*Resolved*, That every such Bill, and every such enacting Clause, which concerns

cerns a County or Counties, or Corporation or Corporations, or Body or Bodies of People, hath been, and ought to be, deemed a double Bill, within the Meaning of the said Table of Fees.

*Resolved*, That every distinct Provision made in any Bill, for the particular Interest or Benefit of any Person or Persons, or of any County or Counties, Corporation or Corporations, or Body or Bodies of People; and every distinct Provision made in any Bill, relating to a distinct Interest, Estate or Matter, hath been, and ought to be, deemed an enacting Clause, within the Meaning of the said Table of Fees; and that a distinct Fee ought to be paid for the same, as for an enacting Clause; provided, that in Bills containing distinct Provisions for more than three Bodies of People, no more than a single Fee shall be paid for each Body.

*Resolved*, That no such Bill, or Clause, for the particular Interest or Benefit of any Person or Persons, or County or Counties, or Corporation or Corporations, or Body or Bodies of People, shall be read a second Time, until Fees be paid for the same.

C

OR-

ORDERS for the Speaker's taking,  
on Vacancy of the Chair, his Power of  
adjourning Precedence.

1640, 5 January,

**I**T was ordered as a constant Rule,  
That Mr. Speaker is not to go into  
his Chair, till there be at least forty in  
the House.

1679, 12 *Ap. post Meridiem Resolved*,  
&c. That it be a standing Order of the  
House, That from henceforth, upon any  
Vacancy of the Chair, no Motion be made  
for chusing of a new Speaker, till after  
11 o'Clock.

1678, 19 *Dec. Resolved*, That Mr.  
Speaker shall at any Time adjourn the  
House, without a Question first put, if  
it be insisted on.

*Resolved*, That this Resolution be en-  
tered in the Journal, as a standing Order  
of the House.

1641, 2 *Ap. Ordered*, That whereas,  
among the Commissioners Names for the  
Counties of *Oxon* and *Gloucester*, and the  
City of *Gloucester*, Mr. Speaker is only  
named *William Lenthall*, Esq; it is now  
*ordered*, that it should be expressed *Wil-*  
*liam Lenthall*, Esq; Speaker of the House  
of

of Commons, and that he be ranked in the first Place.

1620, 15 *Feb.* The Speaker told that he was too courteous, for that he put off his Hat too often ; he should not move it until the third Congee.

1620, 22 *Mar.* *Ordered*, That the Serjeant at Arms shall go to the Upper House, and charge all the Members of this House, that are there, presently to repair into this House, to attend the Speaker into the Upper House, upon Penalty of the Censure of this House.

1641, 14 *Dec.* *Ordered*, That all the Members of the House that are gone up to the Lords, now before Mr. Speaker, shall pay their Five Shillings a-piece.

ORDERS *for the Sitting, being at Prayers, taking Places, and rising of the House.*

1614, 17 *May*, *Ordered*, That whosoever standeth in the Entry pay 1 s. presently to the Serjeant.

1622, 6, 9 *Feb.*

1625, 22 *Feb.*

1641, 15 *Jan.*

1660, 14 *Dec.*

1661, 7 *June*

} Revived.



1614, 31 *May*, *Ordered*, That this House shall sit every Day at seven o'Clock in the Morning, and begin to read Bills secondly at ten o'Clock.

1679, 29 *Ap.* *Resolved*, That this House will every Day adjourn till seven o'Clock the next Morning.

1624, 24 *Ap.* To meet at half an Hour after seven, and Bills to be put to Passage by eight o'Clock.

1606, 14 *Feb.* An Order moved and settled, that the House should assemble every Day at eight o'Clock, and enter into the great Business at nine o'Clock.

1641, 1 *May*, *Ordered*, That all the Members of this House, that shall come to the House after eight o'Clock, shall pay 1 s. except it shall appear to the House, that they are employed in the Service of this House, to be disposed of as the House shall think fit, and the Serjeant is to gather this Money ; and if any Member shall forbear to come for the whole Day, he shall pay 5 s. unless he have Licence from this House, or be sick, or be in the Service of the House.

1642, 19 *Ap.* *Ordered*, That whosoever shall not be here at Prayers every

every Morning at eight o'Clock, shall pay 1 s. to the Poor ; and every Member that shall come after Prayers, is ordered to pay 1 s. to the Serjeant without any farther Demand.

1659, 31 *May*, *Ordered*, That Mr. Speaker do constantly, every Morning, take the Chair by eight o'Clock, and that the Council of State, and Committees of this House, do forbear to sit in the Morning after eight o'Clock, and do then give their Attendance on the Service of the House ; and that the House do rise every Day at twelve o'Clock, and that no new Motion be made after twelve o'Clock, but that Mr. Speaker is hereby enjoined then to rise.

1643, 14 *Feb.* *Resolved*, That the House do meet every Day at nine o'Clock and rise at twelve ; and Mr. Speaker is to put the House in mind hereof, and that such Members that come after nine, shall pay 1 s. to the Poor ; and that if any Member shall begin, or make a new Motion after twelve o'Clock, shall pay 5 s. to be collected in like Manner, and likewise disposed of to the Poor.

A Box is to be prepared and set up at the Door to this Purpose, and the

Burgesses of *Westminster* are to take care that the Money be duly paid.

1649, 23 *March, Resolved, &c.* That every Member that doth not attend the Service of the House at nine o'Clock in the Morning, shall pay 1 s. to the Poor, and the Serjeant to collect the same of all the Members that shall come after that Time.

1647, 21 *March, Ordered,* That so soon as the Clock strikes twelve, Mr. Speaker do go out of the Chair, and that the House rise, and no new Motion be made after twelve o'Clock.

1679 24 *March, Resolved,* That the House will sit every Morning at nine o'Clock, and that no new Motion be made after one o'Clock.

1694, 19 *Nov. Resolved,* That this House will every Morning, at ten o'Clock, enter upon publick, and that no private Business be proceeded upon after ten o'Clock.

1695, 25 *Nov.* The same Order for Motions.

1696, 2 *Nov. Resolved,* To proceed on Business at ten o'Clock.

1640, 22 *April, Ordered,* That whatsoever Member of the House shall,  
during

during the Time the House is at Prayers, continue either in the Committee Chamber, or in the Judges Room, and shall not come and be present at Prayers, shall forfeit and pay for every Time he shall so absent himself 1 s. to be collected by the Serjeant at Arms, and to be distributed to the Poor.

1654, 15 Jan. and 1656, 24 Nov. Revived.

1640, 26 Nov. *Ordered*, That neither Book nor Glove may give any Man Title or Interest to any Place, if they themselves be not at Prayers.

1640, 4 Dec. *Ordered*, That whosoever does not take his Place when he comes into the House, or removes out of his Place, to the Disturbance of the House, shall pay 1 s. to be divided between the Serjeant and the Poor; and whosoever speaketh so loud in the House when any Bill or other Matter is reading, as to disturb the House, shall pay the like Forfeiture.

1641, 17 Nov. *Ordered*, That the Serjeant shall desire the Gentlemen Members of the House to take their Places when they come into the House,

and not to stop up the Passage in the Time of Prayers.

1656, 19 *Sept.* *Agreed for a Rule*, That whilst any Stranger is in the House, no Member ought to stir out of his Place, or speak unto another.

1698, 10 *Feb.* *Ordered*, That every Member of this House, when he comes in the House, do take his Place, and not stand in the Passage as he comes in or goes out, or sit or stand in any of the Passages to the Seats, or in the Passage behind the Chair, or elsewhere, that is not a proper Place.

1720, 15 *Feb.* *Revived*.

1734, 10 *Mar.* Complaint being made to the House, that Places were kept in the House for Members who were not at Prayers, by laying Papers for that Purpose,

*Declared*, That no Member is to keep any Place in the House by Book, Glove, Paper, or otherwise, till after Prayers, and then only for himself.

1734, 13 *Mar.* *Resolved and Declared*, That the Declaration of the House of the 10th Day of this Instant *March*; that no Member is to keep any Place



Place in the House by Book, Glove, Paper, or otherwise, till after Prayers, and then only for himself; does not extend to a Member who takes a Place by and for himself only before Prayers, and leaves a Book, Glove, Paper, or other Mark of the same, provided such Member be at Prayers.

1741, 29 *Jan.* The House was moved, that the several Resolutions of the House of the 26th *November, 1640*; and the 10th and 13th *March, 1734*, relating to the Method of taking Places in the House might be read, and the same were read accordingly, and ordered to be printed in the Votes of the Day.

1747, 16 *Nov.* Ordered, that the Serjeant at Arms do, from Time to Time, when the House is going to Prayers, give Notice thereof to all Committees; and that all Proceedings of Committees in a Morning after such Notice, be declared to be null and void.

Revived annually.

ORDERS for locking the Back Door, and keeping the House, Bar and Gallery, and Speaker's Chamber and Lobby clear of Strangers, and taking them into Custody.

1650, 20 Dec. Resolved,

**T**HAT the Serjeant at Arms do not permit any Persons to come within this House in the Morning that the House sits, save only the Members of the House, the Minister that prays, and the Officers attending the House.

1662, 5 Mar. Ordered, That the Back Door of the Speaker's Chamber be locked up every Morning at the Sitting of the House, and the Key delivered to the Clerk, to be locked up by him; and that he do not presume to deliver the same to any Person whatsoever, without Order of the House; and that the Serjeant at Arms attending this House do take care to clear the Speaker's Chamber every Day, before the Door is locked up.

1673, 29 Jan. Renewed.

1747, 16 Nov. Revived Annually.

1670, 8 Ap. Resolved, That the Back Door in the Speaker's Chamber be  
nailed

nailed up, and not opened during any Session of Parliament.

1679, 7 *Ap.* *Ordered*, that the Back Door belonging to the Speaker's Chamber be locked up, and that the Keys do lie upon the Table whilst the House is sitting ; and that the Window next adjoining to the said Door be shut up.

1688, 28 *Jan.* *Ordered*, That the Serjeant at Arms do take care to keep the Speaker's Chamber free from Strangers ; and the Back Door being locked up, the Key be brought and laid upon the Table.

1688, 29 *Jan.* *Ordered*, That the Serjeant at Arms do keep the Gallery free from Strangers, and that the Back Door be locked up, and the Key brought and laid upon the Table, which was done accordingly.

1688, 5 *Feb.* *Ordered*, That the Back Door leading into the Speaker's Chamber be from Time to Time kept locked up during the Sitting of this House, and the Key to be kept lying upon the Table, and not to be delivered out without Leave of this House ; and that the Serjeant at Arms do take care to see this Order executed.

1690, 2 *Ap.* and 10 *Nov.* Revived.

1688, 26 *Feb.* Ordered, That the Serjeant at Arms attending this House do, from Time to Time, take into his Custody any Stranger or Strangers that he shall see, or be informed to be in the House, or Gallery, while the House, or any Committee of the whole House, is sitting.

1689, 21 *Nov.*

1690, 2 *Ap.*

1705, 31 *Oct.*

} Revived.

1719, 16 *March*, is added, and that no Person so taken into Custody be discharged out of Custody without the special Order of the House. (After this revived annually.)

1698, 21 *Ap.* Ordered, That the Serjeant do lock up the Back Door in the Speaker's Chamber every Morning at ten o'Clock, and bring the Keys and lay them upon the Table.

1699, 24 *Nov.* Revived.

1702, 24 *Nov.* Made a standing Order.

1700, 10 *Ap.* Ordered, That the Lobby be cleared of all Strangers, and that the Back Door of the Speaker's Chamber be locked up, and the Key brought

brought and laid upon the Table ; and that the Serjeant do stand at the Door of the House, and suffer no Members to go forth.

1715, 9 *June*, Revived.

1705, 15 *Nov.* *Ordered*, That the Serjeant at Arms do take into Custody all such Strangers as do presume to come into the Body of the House, or Galleries during the sitting of any Committee therein ; and that the Lobby and Stairs be kept clear of Footmen, made a standing Order of the House.

1709, 16 *Jan.* *Ordered*, That no Member do presume to bring any Strangers into the House, or Gallery, whilst the House is sitting. Revived annually.

1688, 8 *Feb.* *Ordered*, That the Serjeant at Arms do take care to keep the Bar of this House clear from being stopped up by the standing of the Members there, who ought to sit in their Places, and attend the Service of the House.

## ORDERS



ORDERS of Decency, Speaking,  
Making Motions, and on Rising of the  
House.

1614, 13 April,

**M**R. Speaker, for the Dignity and Gravity of the House, Ordered, that no Interruption be made till the Speech of the Party speaking be ended and ruled.

1641, 5 May, Resolved, That if any Man shall whisper, or stir out of his Place, to the Disturbance of the House, at any Message or Business of Importance, Mr. Speaker is ordered to present his Name to the House, for the House to proceed against him, as they shall think fit.

1644, 17 Feb. Ordered, That no Member do presume to go over the Seats, or cross the House, to the Disturbance of the House, or read any printed Book in the House; and that such Member as shall so offend, shall pay 1 s. to the Box for the Use of the Poor.

1693, 22 Jan. To the End that all Debates of this House should be grave and orderly, as becomes so great an Assembly,

Assembly, and that all Interruptions shall be prevented by it,

*Ordered and Declared*, That no Member of this House do presume to make any Noise or Disturbance, whilst any Member shall be orderly debating, or whilst any Bill, Order, or other Matter, shall be reading or opening; and in case of any Noise or Disturbance, that Mr. Speaker do call upon the Member by Name, making such Disturbance; and that every such Person shall incur the Displeasure and Censure of this House.

1693, 23 *Mar.* *Ordered*, That no Member of the House do presume to take Tobacco in the Gallery of the House.

*Ordered*, That no Member of the House do presume to take Tobacco at the Table, sitting at Committees.

1604, 17 *Ap.* *Agreed for a Rule*, That if any superfluous Motion, or seditious Speeches be offered in the House, the Party is to be directed and ordered by Mr. Speaker.

1640, 4 *Dec.* *Ordered*, That the Business in Agitation being ended, no new Motion of any new Matter shall be made without Leave of the House.

1641, 23 *March*, Ordered, That no new Motion shall be made after twelve o'Clock.

1643, 29 *Jan.* Resolved, That when any Motion is made in the House, for any Member or other, for any Place or Office to be conferred upon them, that the House shall take a Day's Time requisite to consider of the same, before they make Order therein, and to be made in a full House.

1644, 1 *Ap.* Ordered, That no Member do offer to move after Prayers are done, till the Minister that prayed be gone out of the House.

1645, 22 *May*, Ordered, That Mr. Speaker shall not hear any new Motion after twelve o'Clock.

1645, 25 *Oct.* Ordered, That no new Motion of any Business whatsoever shall be made after twelve o'Clock; and that Mr. Speaker shall not hear any new Motion after twelve o'Clock, and the House immediately to rise; and that Mr. Speaker do then leave the Chair, unless the House be in the Debate of a Business, or the House otherwise order.

1649, 23 *March*, Revived.

1660,

1660, 25 *Ap.* *Resolved*, That no new Business be brought in, or entertained in the House after twelve o'Clock.

1660, 23 *Aug.* *Resolved*, That no private Business be entertained by this House, on any Day after half an Hour after nine o'Clock, till further Order.

1660, 26 *Nov.* After ten o'Clock.

1661, 10 *June*, After nine o'Clock.

1692, 4 *Feb.* } After ten o'Clock.

1693, 24 *Jan.* }

1693, 29 *Jan.* After eleven o'Clock.

# ORDER touching Naturalization.

1668, 2 *May*, *Ordered*,

**T**HAT when any Persons come to be naturalized hereafter, they do first take the Oaths of Allegiance and Supremacy in the House, after the Speaker takes the Chair, according to ancient Form.

## ORDERS

**ORDERS** *relating to Speaking and Acting on the Question.*

1604, 14 April. *Members mistaking the Question interrupted by Mr. Speaker, and thereby a Rule conceived, viz.*

**T**HAT if any Man speak impertinently, or besides the Question in Hand, it standeth with the Order of the House, for Mr. Speaker to interrupt him, and to know the Pleasure of the House, whether they will further hear him.

1604, 19 May, *A Rule agreed, That if any Man speak not to the Matter in Question, the Speaker is to moderate.*

1604, 21 June, *Agreed for a Rule, That when Mr. Speaker desires to speak, he ought to be heard without Interruption, if the House be silent, and not in dispute.*

1606, 17 May, *Any Man may speak, after the Affirmative Question, and before the Negative.*

1610, 21 Ap. *If a Bill be continued in Speech two Days, one may not speak twice.*

1621,



1621, 3 May, *Resolved*, That though a Matter be ordered in the House upon the Question, yet if after the same Matter come in again by Bill, any Member may speak to this Matter, *Pro*, or *Contra*, as his Opinion is, and the said Question formerly made and passed, precludeth him not.

1640, 10 Nov. *It was declared*, That when a Business is begun and in debate, if any Man rise to speak to a new Business, any Member may not, but Mr. Speaker ought to interrupt him.

1679, 29 Ap. *Ordered*, That the standing Order of the House, that no new Motion be made after twelve o'Clock, be strictly and constantly kept and observed.

1604, 2 Ap. *Agreed for a Rule*, That a Question being once made, and carried in the Affirmative or Negative, cannot be questioned again, but must stand as a Judgment of the House.

1604, 15 June. *Agreed for a Rule*, That upon the adding of a new Thing, the Question is to be put in the Affirmative, upon the continuing of an old in the Negative.

*Question*

*Question made*, Whether the Law shall continue until the End of the next Session of Parliament ?

*Much Differences in Dispute*, Whether upon this Question, the Yea or No shall sit ?

*Affirmed and conceived as a Rule*, That when any Alteration is required of a Law in being (as in this Case) and thereupon a Question put, the Yeas must sit still, and the Noes go forth.

1621, 28 Nov. *Resolved*, That when a general Vote of the House concurrerh in a Motion propounded by the Speaker, without any Contradiction, there needeth no Question.

1626, 11 May, *Question*, Whether the Yeas or Noes should go out ? much Debate about it.

*A Rule*, That whosoever will have a Thing must go out, and so get it.

1640, 10 Dec. *Upon the Difference of the Yeas and Noes, the House being divided, it was declared for a constant Rule*, That those who gave their Votes for the Preservation of the Orders of the House, shall stay in ; and those that give their Votes otherwise, to the introducing

ducing any new Matter or Alteration,  
shall go out.

1607, 7 May, *Ordered upon Question*, That in going forth no Man should stir until Mr. Speaker did rise and go before, and then all the rest should follow after him.

1620, 16 Nov. *Ordered upon the Question*, That all those which disturb the House, by rushing into the Entry before Mr. Speaker, at the Rising of the House, shall be called to the Bar.

1625, 9 March, *Ordered*, That none shall go out of the House, when it riseth, before Mr. Speaker.

1625, 15 March, *Ordered*, That no Man shall go out from the grand Committee before the Speaker take his Chair again, and so the House rise in the usual Order.

1627, 26 March, *Ordered*, That all which stand in the Entry, or go out disorderly before the Speaker, shall pay s. a-piece to the Serjeant, and so likewise at the Grand Committee, when the House sitteth.

1627, 14 June, 20

Jan. 9 Feb.

1643, 16 Feb.

} Revived.

1640,

1640, 12 Nov. That whosoever shall go forth of the House in a confused manner, before Mr. Speaker, shall forfeit 10 s. and that the Reporters might go first to take their Places.

1660, 1 June, *Ordered*, That whosoever the House is to rise, every Member keep their Seat till the Speaker go out, and then every one in their Course orderly as they sit, and not over the Forms.

*Ordered*, That all such of the Members of this House as climb over their Seats shall pay 12 d. to the Serjeant attending this House.

*The ORDERS of every Day to be read the next Morning.*

1678, 21 March, *Ordered*,  
**T**HAT the Orders for every Day be read the next Morning before any other Business.

1680, 27 Oct. *Ordered*, That the Votes of each Day be read the Day following, the first Business.

1698, 14 Mar. *Ordered*, That the Orders for the Business appointed for the

he Day, be read every Day at eleven  
Clock.

ORDERS upon Petitions, and bringing in, and passing private Bills.

1610, 28 June, Ordered,

THAT if any Stranger prefer any Grievance, he must stand by at the Reading.

1627, 12 May, Mr. Burges's sendeth in a Petition, but it being not signed, the House signified to him that brought it by the Serjeant, that they could not meddle with it in that Respect.

1689, 14 Nov. A Debate arising touching the Manner how Petitions ought to be signed.

Resolved, That all Petitions presented to the House ought to be signed by the Petitioners, with their own Hands, by their Names or Marks.

1685, 26 May, Ordered, that for the future no private Bill be brought into this House, but upon a Petition first presented, truly stating the Case, at the Peril of the Parties preferring the same; and that such Petitions shall be signed by



by the Parties, who are Sureties for such Bill.

1699, 24 Nov. Made a standing Order.

1698, 31 Mar. *Ordered*, That the Chairman of the Committee, upon the Report of every private Bill, do acquaint the House, that the Allegations of the Bill have been examined ; and that the Parties concerned have given their Consents, to the Satisfaction of the Committee, and that the same be a standing Order of the House.

1700, 15 Feb.

1708, 18 Jan.

} Revived.

1705, 15 Jan. *Ordered*, That all Persons concerned in Interest in private Bills, in case they are able, do personally attend the Committee to give their Consents ; and if they are not able personally to attend, that they give Certificates of their Consents, to be proved by one or more Witnesses before the Committee.

1691, 10 Dec. *Ordered*, That every Member presenting any Bill or Petition to this House, do go from his Place down to the Bar of the House, and bring

bring the same up from thence to the Table.

1646, 23 *Sept.* *Resolved*, That no private Petition to be directed to the Parliament, be printed before the same be read in the House:

1646, 1 *Dec.* *Ordered*, That the Order against Printing private Petitions before they are presented to the House, be duly observed; and that the Serjeant attending this House, shall seize upon printed Petitions, in the Hands of any Persons that shall deliver or disperse the same.

1705, 12 *Nov.* *Ordered*, That all private Bills brought into this House be printed, and that they be printed after they are presented to the House, and before the first Reading.

1706, 12 *Dec.* }  
1708, 20 *Dec.* } *Revived.*  
1709, 30 *Nov.* }

1722, 5 *March*, Made a standing Order.

1722, 5 *March*, *Ordered*, That no private Bill be read before printed Copies thereof be delivered to the Members of the House.

*Ordered*, That the said Order be a standing Order of the House.

1660, 7 *Dec.* *Resolved*, That private Bills and Business be proceeded in daily till nine o'Clock, in such Order as the House shall think fit ; and that the Debate of such of them, as shall not be dispatched at the Hour of nine, shall be adjourned till the next Day.

1691, 24 *Nov.* *Ordered*, That no private Bill be proceeded upon after ten o'Clock.

1691, 4 *Feb.* *Revived*.

1691, 16 *Feb.* } enlarged until e-  
1699, 24 *Nov.* } leven o'Clock.

1697, 4 *Feb.* *Ordered*, That no Petitions be received after ten o'Clock in the Forenoon.

*Ordered*, That the Chairman of the Committee, for any private Bill, do not sit thereupon without a Week's Notice thereof set up in the Lobby.

1700, 15 *Feb.* } Declared a stand-  
1708, 18 *Jan.* } ing Order.

1695, 21 *Jan.* *Ordered*, That every private Bill have a Day appointed for reading thereof, before the same be read.

1697,

1697, 15 *Jan.* *Ordered*, That upon the first Reading of every private Bill, a Time be appointed for a second Reading.

1698, 6 *Ap.* *Ordered*, That no private Bill be read the third Time before eleven o'Clock.

*Ordered*, That there be three Days between the several Readings of all private Bills.

1700, 15 *Feb.* } Made a standing  
1708, 18 *Jan.* } Order.

1707, 6 *Feb.* *Resolved*, That all Persons intending to apply themselves to the Parliament of *Great Britain* for obtaining private Bills relating to Estates in *Ireland*, do from henceforth give publick Notice of their said Intention, by affixing printed Papers, setting forth their Pretensions in each of the four Courts of Justice in *Dublin*, during the whole Term, which shall precede the Session of Parliament, as also in the chief Town, wherein the Assizes are usually kept in each County, where the Lands shall happen to lie, for one Month at least before the Bill be brought in.

*Resolved*, That there be thirty Days at least between the first and second Reading of every such private Bill.

*Resolved*, That the said Orders be declared to be standing Orders of the House.

1678, 26 *Mar.* *Ordered*, That in all private Bills, for the future, a Clause be inserted, that the Trustees therein named shall be obliged to see the Trusts in the said Bill performed, or be liable to the same out of their own Estates.

1690, 13 *May*, *Ordered*, That when any Bill shall be brought into this House for confirming Letters Patents, there be a Copy of such Letters Patents annexed to the Bill, and that this be declared a standing Order of this House for the future.

1690, 6 *May*, *Ordered*, That no engrossed Bill be brought to the Table, to be read the third Time, but by the Chairman of the Committee to whom that Bill was committed, after he hath examined the same.

ORDERS



ORDERS touching bringing in,  
and passing Public Bills, viz. Poor,  
Trade, Highways, Ports and Har-  
bours.

1641, 26 July, Ordered,

THAT no Public Bill shall pass,  
but between Nine and Twelve  
o'Clock, and that if any Man shall  
move the Members of the House con-  
trary to that, he shall incur the Censure  
of the House.

1699, 7 Mar. Ordered and Declared,

That all Bills relating to the Poor, be  
deemed and taken to be Public Bills,  
and pass without Fees for the same.

1700, 25 Feb. Revived.

1703, 9 Nov. Resolved, That no Bill  
relating to Trade, or the Alteration of  
any Law concerning Trade, be brought  
into the House, until the Proposition  
shall have been first examined and de-  
bated in the Grand Committee for Trade,  
and agreed unto by the House.

1716, 13 March, Resolved, That no  
Bill be ordered to be brought in on any  
Petition, for repairing and amending  
any Highway, or for making, or clean-

fining any Port, or Harbour, or for making any River navigable, or for any other Work proposed to be carried on by Tolls or Duties, to be levied on the Subject in particular Places, till such Petition has been reported, referred to a Committee, and they examined the the Matter thereof, and reported the same to the House.

1734, 28 Feb. *Ordered, Nemine Contradicente*, That the said Resolution be a standing Order of the House.

1752, Mar. 12, *Resolved*, That it is the Opinion of this Committee, that in all future Bills for Acts of Parliament, for the erecting or continuing any Turnpike, a Clause be inserted, to oblige the Commissioners of such Turnpike, to take Security from their Treasurer or Receiver, for the faithful Execution of the said Office, and to prevent any Person, who shall be nominated a Commissioner, from acting or voting in the Business of the said Turnpike, unless he shall be possessed of an Estate in Land, or a personal Estate, to such certain Value as shall be specified in such Act.

Or-

*Ordered, Nemine Contradicente*, That the said Resolutions be made standing Orders.

1753, 14 March, *Ordered, Nemine Contradicente*, That in all future Bills for Acts of Parliament for the erecting or continuing any Turnpike, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner from Acting or Voting in the Business of the said Turnpike, unless he shall be possessed of, or be Heir Apparent of a Person possessed of, an Estate in Land, or be possessed of a personal Estate, to such certain Value as shall be specified in such Bills.

*Ordered, Nemine Contradicente*, That the said Order be made a standing Order of this House.

ORDERS touching, bringing in, and passing Bills of Aid and Supply.

1641, 12 July,

**M**R. Maxwell came down and acquainted this House, that the Lords did desire them to come up to the passing of the Bill of Tonnage and Poundage, by Commission.

D 4

Message

Message to the Lords by Sir *Henry Vane*.

To acquaint the Lords, that this House being informed by the Black-Rod, that their Lordships desired this House to come to the Passing of the Bills of Tonnage and Poundage; that in regard it is a free Gift of the Commons of *England*, the Speaker of the House of Commons ought to present the same, and that their Lordships would be pleased to send the Bill to this House.

Sir *Henry Vane*'s Answer of the Message to the Lords.

That their Lordships had taken it into Consideration, and will send Answer by Messengers of their own.

*Note*, There is no Entry of any Answer sent, nor Return of the Bill; but,

1641, 16 *Aug.* A Message from the Lords, by Sir *Robert Rich*, and Mr. *Page*.

The Lords sent them to give Notice, that now the Commission is come for giving the King's Royal Assent to the Bill of Tonnage and Poundage, when this House shall be ready to bring it up.

Answer

Answer returned by the same Messengers, That this House has taken into Consideration their Lordships Message, and return this Answer ; that they shall be ready to bring up that Bill, when their Lordships shall please to send them Word, that they desire they would bring it up.

The Gentleman Usher of the Lords House, came and acquainted the House ; that the Lords are ready to give his Majesty's Royal Assent by Commission, to the Bill of Tonnage and Poundage, and desire that the Speaker and this House would bring up the said Bill.

1641, 26 *Jan.* It was declared and acknowledged to be against the fundamental Orders of the House, for any Member of the House, without special Order of the House, to bring in a Bill of Subsidy.

1642, 26 *Mar.* The Bill of Subsidy, being to be passed by Commission ;

*Resolved*, Upon the Question,

That the House being desired by the Lords to be present at the passing of the Bill of 40000 *l.* by Commission, That Mr. Speaker should go up, and if the Bill be delivered to Mr. Speaker, before



Commission be read, that then he shall have leave to present it to be passed; but if the Lords shall not deliver the Bill to Mr. Speaker's Hands accordingly, that then he shall immediately return.

1643, 2 Nov. *Ordered*, That no Ordinance shall be brought in but with a Brief unto it; and that the Party that brings in an Ordinance, shall bring in the Brief, and Mr. Speaker open the Ordinance; and that no Member shall bring in any Ordinance to charge the Subject, or raise any Money upon the Country, without an Order precedent in the House to direct the said Charge; and that Mr. Speaker do not permit any Ordinance to be read without such Brief, nor after twelve o'Clock, unless it shall be otherwise directed by the House.

1645, 10 Nov. *Ordered*, That no Ordinance be brought in to charge the Subject, or to give any Thing from the Commonwealth, without special Order of the House first directing the same.

1648, 25 May, *Resolved*, That no Motion be made for raising of new Forces or Monies for the same, but between the Hours of ten and twelve o'Clock.

1667,

1667, 18 Mar. *Resolved*, That if any Motion be made in the House for any public Aid or Charge upon the People, the Consideration and Debate thereof ought not presently to be entered upon, but adjourned till such farther Day as the House shall think fit to appoint; and then it ought to be referred to the Committee of the whole House, and their Opinions to be reported thereupon, before any Resolution or Vote of the House do pass therein.

1671, 3 Ap. The House then proceeded to the Reading the Amendments and Clauses sent from the Lor's, to the Bill for an Imposition on Foreign Commodities, which were once read; and the first Amendment sent from the Lords, being for changing the Proportion of the Impositions on White Sugars, from 1 *d. per lb.* to an half-penny half-farthing, was read a second Time and debated.

*Resolved, Nemine Contradicente,*

That in all Aids given to the King by the Commons, the Rate or Tax ought not to be altered by the Lords.

1673, 3 Nov. A Debate arising in the House, touching the ancient Order

and Course of the House, in the Method of raising Supplies, and concerning the Precedency of the lesser Sum.

The House upon thè Question, did resolve and declare it an ancient Order of the House, that when there comes a Question between the greater and lesser Sum, or the longer or shorter Time, the least Sum and the longest Time, ought first to be put to the Question.

1678, 3 *July*, Mr. Solicitor-General reports from the Committee, to whom it was (amongst other Things) referred, to prepare and draw up a State of the Rights of the Commons in granting of Money, a Vote agreed by the Committee, which he read in his Place, and afterwards delivered the same in at the Clerk's Table, where the same was read, and upon the Question agreed, and is as follows,

*Resolved*, That all Aids and Supplies granted to his Majesty in Parliament, are the sole Gift of the Commons; and all Bills for granting such Aids and Supplies ought to begin with the Commons; and it is the undoubted and sole Right of the Commons, to direct,

rect, limit, and appoint in all such Bills, the Ends, Purposes, Considerations, Conditions, Limitations, and Qualifications of such Grants, which ought not to be changed or altered by the House of Lords.

1693, 17 Feb. *Resolved*, That no Member of the House of Commons shall be concerned directly, or indirectly, in the farming, collecting, or managing of the Duties to be collected by this Bill, or any other Aid to be granted to their Majesties other than the present Commissioners of the Treasury, and the Officers and Commissioners for managing the Customs and Excise.

1706, 11 Dec. *Resolved*, That this House will receive no Petitions for any Sum of Money, relating to public Service, but what is recommended from the Crown.

1713, 11 June, Declared a standing Order.

1707, 29 Mar. *Resolved*, That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or relating to, or compounding any Sum of Money owing to the Crown, but in a Committee of the whole House ;  
and

and that the same be declared a standing Order of the House.

1707, 14 *Ap.*

1708, 7 *Feb.*

1710, 29 *Nov.*

} Revived.

1707, 24 *Feb.* *Resolved*, That no public Money be granted by Debentures or otherwise, but by a Committee of Supply.

*Resolved*, That no Disposition of the public Money be made, or private Bill relating to the same read, but on a Day to be appointed for that Purpose.

1713, 23 *Ap.* *Resolved*, That this House will not receive any Petition for compounding any Sum of Money owing to the Crown, upon any Branch of the Revenue, without a Certificate from the proper Officer, or Officers, annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debts, and setting forth how much the Petitioner and his Sureties are able to satisfy thereof.

1715, 25 *Mar.* Made a standing Order.

1725, 7 *Mar.* *Resolved*, That this House will receive no more Petitions for



for enabling his Majesty to sell the Re-  
version of Crown Lands.

ORDERS *touching Bills in general.*

1604, 18 *April.*

**S**UCH Bills as came down from the Lords, and passed this House, when they are sent up again, are to be presented first, before any other Bills, which had their first Beginning and Passage in this House ; next the public Case, the private Bills of this House.

1604, 27 *Ap.* *Agreed for a Rule, If any Doubt arise upon any Bill, the Speaker is to explain, but not to sway the House with any Argument or Dispute.*

The Petition touching the Abuses of Purveyors, brought in by Mr. *Hare*, from the Committee in Parliament, which was against Orders, and there-upon a Rule conceived ;

That no Petition, Bill, or other Thing, to be treated in Parliament, ought to be privately delivered into the House ready engrossed, but in Paper ; and this Petition delivered in by Mr. *Hare* shall be no Precedent for the Time to come.

1704,

1704, 19 *May*, *Rule agreed*, No double Questions upon the passing of a Bill, though sometimes upon the committing it is double, if the Voice or Question be not clear.

1604, 23 *May*, *Resolved and Ordered*, That for this Time all Questions should cease touching those Matters, with this Caution and Care, proceeding from a tender Regard of the Privilege of this House, that it should be presently registered as the Judgment of the House, that no Speaker from henceforth should deliver a Bill, whereof the House standeth possessed, to any whomsoever, without the Allowance and Leave, as aforesaid; but that he had, or might either shew it, or deliver a Copy of it, as seemed meet unto him.

An Order moved and agreed, that no Bill, whereof the House is clearly possessed, be delivered to any before the House has Notice, and give Leave.

*Admitted*, That a Copy may be delivered, or it may be shewed to his Majesty.

The Speaker reading the Title in his Chair a Possession.

1604,

1604, 4 *June*, *Agreed for Rule*, If two stand up to speak to a Bill, he against the Bill (being known by Demand, or otherwise) to be first heard.

1604, 24 *June*, *Rule agreed*, That if a Bill be continued in Speech from Day to Day, one Man may not speak twice to the Matter of the same Bill.

1605, 25 *June*, Upon Motion, such as sat against the Bill went forth of the House, and brought in the Bill in their Hands, which is according to ancient Order, and was now moved, and done once in a Parliament for preserving Memory of the Order, and so expressed by the Mover.

1606, 13 *Feb.* The Remembrances formerly set down and read, being privately delivered to the Clerk by Sir *Henry Montague*, the Day of the late Adjournment, were required by the House to be delivered openly.

1606, 21 *Feb.* Upon this Report, it was much disputed in the House, whether it were fit to handle the Point of Conveniency before the Point of Law, in the Case of Naturalization in general, were determined ; and the Opinion was, not to be fit.

It

It was delivered for a Rule, that no Judgment, but upon a Bill ; Opinion without a Bill.

1606, 3 *March*, Ordered upon Mr. Speaker's Motion, That when they proceed to the Amendment of any Bill committed unto them, they should also amend the Brief annexed, and make it agree with the Bill.

1607, 6 *May*, The Council in the Bill touching the *Marshalsea* Court were ordered for hearing, and it was questioned, (as now the State of the Bill was) whether the Council *pro* or *contra* should begin first ; after some Dispute,

Affirmed by Mr. Speaker, that upon the Report against the Bill, the Council *pro* ought to be first heard ;

Yet upon the Question, and some Circumstances opened,

*Resolved*, It should be now received as *res integra*, and the Council against the Bill (according to the known Rule) be first heard.

1611, 11 *April*, Sir *Edwin Sandys* moveth, That no Bill may be read the second Time, until half an Hour past eight, and the third Time be past nine o'Clock, and ordered accordingly.

1620,

1620, 7 *Feb.* No Bills to be put to pass till past nine of the Clock, and Notice to be given a Day before, that Bills shall be passed the next Day, and both ordered.

1620, 12 *Mar.* *Resolved*, That Bill, and other public Bills, may be secondly read by half an Hour after eight o'Clock.

1640, 6 *Oct.* *Ordered*, No Bills to have their second Reading, but between nine and twelve o'Clock.

1620, 15 *Mar.* *Ordered*, That upon the committing of every Bill of Grace, the Clerk shall deliver to the Committee the Note of all his Books concerning that Business, and the old Draught of it, which was last Meeting in Parliament, if it be to be had.

1627, 20 *Jan.* *Ordered*, That upon the committing every public Bill, one of the Committee be specially named by the House to take care of the Bill.

1621, 26 *May*, A Proviso in Paper, admitted for a Rule, that not being in Parchment, it might not be put to the Question.

1621, 28 *May*, An essential Order, that the Amendments be twice read.

1621,



1621, 30 May, An essential Order, a Provifo from the Lords to be read thrice, though the Bill come from the lower House, and by Vote of the House to pass as a Law.

1621, 29 Nov. *Resolved*, That when any Bill be committed, one shall be named to take the Bill.

1626, 26 Mar. Mr. *Haynes* tendereth a Provifo, engrossed in Parliament, for the City of *Exon*.

Mr. *Banks* having, upon the second Reading of this Provifo, spoken to it; and the Provifo being thirdly read, he offered to stand up again and speak, and was by diverse interrupted, because he had spoke before; but,

*Resolved by the House*, That upon a new Reading he may speak again.

1642, 16 July. A Bill brought from the Lords, delivered by the Messengers without reading the Title, which ought to have been done, at which the House took Offence; but, in Regard of the great Business, the House took no more Notice of it at this Time.

1644, 11 May, *Resolved*, That it is an unparliamentary Way to send down Reasons in another Paper, to any Bill

or Ordinance, at the first beginning of sending down any Bill or Ordinance.

1644, 24 *Aug.* *Ordered*, That whatsoever Ordinance shall be committed by this House, shall after the Return from the Commitment be read the third Time before it pass from thence to be sent to the Lords.

1651, 2 *May*, *Resolved*, Upon the Question,

And, The Parliament doth declare, that it is the Order of this House, that no Act ought to be presented to this House without a Brief thereof, to be given to the Speaker; and that Mr. Speaker ought not to open any Bill, nor command the same to be read, unless a Brief thereof be first delivered unto him; and that the said Order be from henceforth duly observed accordingly.

1663, 3 *Ap.* *Ordered*, That the Reporter, who does report the Amendments to any Bill, do, after the same are agreed to by the House, see that the same be duly entered in the Bill, that the Bill may be rightly engrossed.

1667, 26 *Ost.* *Ordered*, That no engrossed Bill be brought in to be read, till the same be examined by the Chair-  
man

man of the Committee, to which it was referred, and the Clerk of the House.

1660, 5 *March, Ordered*, That all Bills shall receive Dispatch in Priority, and Order of Time, as they were brought in, and have been depending.

*On Royal Assent to Bills, whether the House may proceed without Prorogation.*

1554, 21. *Nov.*

UPON a Question asked in the House, If upon the Royal Assent, the Parliament may proceed without any Prorogation ; it is agreed, that it may.

# R E C E S S.

1641, 27 *Aug. Resolved upon the Question,*

THAT this House doth declare, that they are not so bound up by the Order for the Recess, but that if any emergent Occasion shall arise, they may recede from it.

O R -

ORDERS touching Messages from  
the King and the Lords.

1604, 5 May, Agreed for a Rule,

**T**HAT if we differ from the Desire of the Lords propounded by their Messengers, then we are to send by our Messengers.

1606, 14 Feb. On a Message from the Lords, it was conceived as a Rule, when we yield them, we might send Answer by such Messengers as come from the Lords; if not then, to send by our own.

1610, 11 May, Great Debate touching the Speaker's bringing Messages from the King.

*Whereupon resolved*, That this Manner of receiving a Message from the whole Body of the Council by Mr. Speaker, should be no Precedent hereafter.

1610, 12 May, The Order allowed to be entered.

1620, 15 Feb. When the Messengers deliver the Message, none ought to speak to them, to speak out. Agreed to be the Course of the House, not to speak.

Speak to them ; for Mr. Speaker is to relate it to the House.

1620, 10 *Mar.* A Message from the King by Mr. Attorney-General, &c.

*Resolved*, Mr. Attorney-General should come up to the Table, and Mr. Speaker and the whole House to be bare whilst the Message was delivered.

1641, 10 *Ap.* Notice being given of a Message from the Lords, it was ordered,

That all the Members keep their Seats, and go not out without Leave.

1641, 3 *May*, Nor speak to the Messengers.

1641, 27 *Jan.* Nor speak to the Messengers coming in or going out.

1641, 10 *May*, *Memorandum*, That Mr. *Maxwell* coming to the House with a Message, without his Black Rod, and coming in before he was called in, Exception was taken at both.

1641, 31 *Aug.* A Message from the Lords, by Dr. *Bennet* alone.

Exception was taken, that the Lords sent but one Messenger. *It was declared*, That it was the ancient Right of this House, to have two Messengers sent from the Lords to this House upon all Occasions ;



Occasions; howsoever at this Time, the House was willing to pass it over.

1645, 22 May, *Ordered*, That after Notice shall be given to Mr. Speaker of any Message from the Lords, that no new Motion of any Business whatsoever shall intervene, but that the Messengers shall be presently admitted, after that the Business then in present Agitation shall be dispatched.

1645, 25 Oct. *Resolved*, That the Messengers from the Lords be always called in immediately, after that the Business then in present Agitation shall be concluded, and that no other new Business whatsoever intervene between that Business, and the Admission of the Messengers.

1648, 11 Sept. *Ordered*, That when Messengers are sent from the Lords to this House, as soon as the Business in Agitation, when the Messengers come, is ended, then the Messengers from the Lords to be called in.

1645, 25 Oct. *Resolved*, That the Messengers from the Lords be always called in immediately, after that the Business then in present Agitation shall be concluded, and that no other new Business whatsoever intervene between

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that Business, and the Admission of the Messengers.

1648, 11 Sept. *Ordered*, That when Messengers are sent from the Lords to this House, as soon as the Business in Agitation when the Messengers come, is ended, then the Messengers from the Lords to be called in.

ORDERS relating to COMMITTEES.

1606, 7 March,

**M**R. *Hedley*, being assigned with the rest for the Point of Assurance, excuseth himself, in that he was directly against the Matter itself in Opinion: Whereupon,

*Conceived a Rule*, That no Man was to be employed that had declared himself against it.

1640, 9 Nov. *Moved*, That every Man that names any Man for a Committee shall stand up, and being uncovered name the Party.

1640, 10 Nov. *It was declared*, That at the naming of a Committee, if any Man rise up to speak, the Clerk ought not to write.

1621, 19 Ap. The appointing of the Chairman at the Committee referred to the Direction of the Committee.

1604, 12 *Ap.* Upon Motion made touching the slow Proceedings and Dispatch of such Bills and Business, as were depending in the House, which grew, as was said, by the Non-attendance of sufficient Numbers at Committees :

*It was ordered*, That eight of any Committee that do assemble, might proceed to a Resolution in any Business in the House.

1650, 20 *Dec.* *Resolved*, That such Committees of the House, who shall have Occasion to call any other Persons to attend them upon any Bill, or other Business to them referred; do from henceforth forbear to sit in any of the Rooms within the Doors of the Parliament House, called the Speaker's Chamber, but that they sit in such other Place, as they shall think fit.

1614, 18 *Ap.* *Moved*, The Clerk may set upon the House Door that Morning the Orders for Committees to sit that Day, and ordered.

1642, 30 *Ap.* *Ordered*, That the several Chairmen of the several Committees, be required to set up Notes at the Door, of the Times and Places, when the several Committees do meet.

1657, 21 *Jan.* *Ordered*, That the Names of the several Committees be set up, without at the Door of this House, by the Clerk of this House to-morrow Morning.

1660, 26 *May*, *Ordered*, That the standing Committees of this House, be posted up at the Door of this House, that Persons may take Notice where they sit.

1627, 30 *Jan.* *Ordered upon the Question*, That no Man go out of the House, during the sitting of the grand Committee, without Licence of the Committee, upon Pain of Censure of the House.

1627, 19, 20 *Feb.* The same Order.

1641, 21 *Ap.* *Ordered*, That the Doors shall be locked at the Committee, and the Keys brought up, and that no Man shall go out without Leave of the Committee.

1627, 25 *Ap.* *Resolved upon the Question*, That upon the Meetings of any Committees, those that are Committees shall have Place given them, that they may the better discharge the Service committed to their Trust.

1663, 20 *May*, *Ordered*, That it be declared to be the ancient Order and Course

Course of the House, that when any Bill be committed, no private Member ought to take it away ; but the Clerk of the House, or his Deputy, is to attend with the Bill and Order at the Time and Place appointed, for the first Meeting of the Committee, and deliver the same in at the Committee, after the Chairman is chosen.

1695, 24 Nov. *Ordered*, That the Chairman of the Committee, upon the Report of every private Bill, do acquaint the House, whether the Allegations of the Bill have been examined, and the Parties concerned have given their Consents to the Satisfaction of the Committee.

*Ordered*, That the Chairman of the Committee for any private Bill, do not sit thereupon, without a Week's Notice thereof set up in the Lobby.

1700, 16 Feb. } Declared to be

1708, 18 Jan. } standing Orders.

1651, 1 May, *Resolved*, That every Order that shall be made by any Committee of Parliament, shall from henceforth be signed by so many, at the least, of the Members of that Committee, as are of the Quorum of that Committee.



1604, 24 *May*, It being proposed to the House, whether any of the Commissioners, in the Matter of the Treaty concerning the Weal of both Kingdoms, subscribing the Writings or Instruments in the Act mentioned, may, without Imputation or Prejudice, in Credit or Conscience, have the Liberty and Freedom of Voice in Parliament, notwithstanding the said Subscription.

*The House thereupon resolved*, That no Man is, or ought to be concluded in his Opinion, by any such Subscription, but as in case of other Committees, (hath and may have his Liberty in the House to assent or dissent) as he shall see just Cause the next Session of Parliament.

1621, 11 *May*, *Resolved by the House*, That when limited, all that will come shall have Voice, that they, in that Case, if they come, are Committees, as well as those nominated.

1641, 28 *July*, *Post Meridiem*, The Petition of *Theophilus Man* read, touching the Resolution of the Committee, where Mr. *King* hath the Chair, and signed by him; whereby Mr. *Man* is voted not to take any Fees, by Vir-  
tue

tue of his Office as Searcher, till further Order.

*Declared by the House*, That no Committee ought by Vote to determine the Right and Property of the Subject, without first acquainting the House therewith.

1641, 6 Aug. *Post Meridiem*, Resolved upon the Question, That no Vote past at a Committee of this House, and not reported nor confirmed by the House, shall be any Rule or Direction in any Court of Justice in *Westminster-Hall*, to ground any Proceedings upon.

1661, 14 May, Bill for securing the King's Person committed.

*Resolved upon the Question*, That no Member of this House, who is not of this Committee, is to have any Vote thereat.

1661, 24 May, A Bill for draining the Fens committed.

*Resolved*, That no Member within the Six Counties (into which the great Level of the Fens doth extend) nor any other Members of this House, who are Undertakers, or concerned in Point of Interest, as Adventurers or Undertakers herein, though particularly named, do

fit or have any Vote at the Committee, to whom the two Bills concerning the great Level of the Fens, were upon the second Reading this Day committed.

1661, 28 May, This Order rectified.

*Ordered*, All the Members of the Six Counties, and all other Members of that, saving such as are concerned in particular Interest, as Owners, Undertakers, or Adventurers, are to have Voice at the said Committee.

1661, 26 Nov. The same Order extended.

*Ordered*, That no Members of the said Committee, that are Owners, Undertakers or Adventurers, or otherwise concerned in Point of Interest, in the Fens in Question, shall have any Vote thereat.

1688, 16 Mar. Mr. *Foley*, Chairman of the particular Committee for the Grievances, acquaints the House, that there have several Matters appeared to the Committee, relating to some Persons, Members of this House, and that therefore he was directed by the Committee to take the Directions of the House what was fit to be done therein, and a Debate arose thereupon.

*Re-*

*Resolved*, That if any Member of the House refuses (upon being sent to) to come to give Evidence or Information, as a Witness to a Committee, that the Committee ought to acquaint the House therewith, and not summon such Member to attend the Committee.

*Resolved*, That if any Information come before any Committee, that chargeth any Member of the House, the Committee ought only to direct, that the House be acquainted with the Matter of such Information, without proceeding further thereupon.

1621, 19 *Apr.* *Ordered*, That no Petition to be received, but openly at the Committee, and to be openly read at the Committee, before the Party go that preferreth it, and the Party's Name that preferreth it.

1624, 2 *May*, No Committee shall sit after eight o'Clock sitting the House, without special Order.

1648, 12 *Feb.* *Ordered*, That no Committee of the House do sit in the Morning after nine o'Clock, and the House to be enjoined to meet every Day at nine in the Morning.

1697, 18 *Feb.* *Ordered*, That no Committee, which shall have Leave to sit in a Morning, do sit after ten o'Clock.

1698, 1 *Mar.* *Revived*.

1693, 13 *Mar.* *Resolved and Declared*, That it is the constant Rule and Order of the House, that no Committee ought to sit after the Hour to which the House is adjourned, without the special Order of the House.

1695, 6 *Mar.* *Revived*.

1694, 19 *Nov.* *Ordered*, That no Committee sit in a Morning without special Leave of the House.

1697, 9 *Feb.* }  
1710, 29 *Nov.* } *Revived*.

1669, 19 *Ap.* *Ordered*, That no Committee do meet at any Time, until two Hours after the rising of the House.

1641, 28 *June*, *Post Meridiem*, *Declared*, That so soon as the House sits, and the Serjeant comes to any Committee then sitting, to signify unto them that the House is sitting, that the Chairman shall immediately come away.

1699, 28 *Feb.* *Ordered*, That all Committees who shall sit in a Morning do rise when the House sits, or in Default



fault thereof, that what they shall do after the Sitting of the House be void.

1701, 3 *Feb.* Revived.

1707, 28 *Nov.* *Ordered*, That no Committee do meet, or sit in a Morning after Prayers ; and that all that shall be done at any Meeting or Sitting of any Committee, after that Time, be void ; and that Mr. Speaker do from Time to Time acquaint the House with such Committees, as shall not observe this Order.

1730, 10 *Feb.* *Ordered*, That the Serjeant at Arms attending this House do from Time to Time, when the House is going to Prayers, give Notice thereof to all the Committees ; and that all Proceedings of Committees in a Morning, after such Notice, be declared to be null and void. Revived annually.

1606, 11 *Feb.* *Ordered*, That the Adjournment of any Committee amongst themselves should be published the next Day in the House.

1694, 8 *Mar.* *Ordered and Declared*, That a Motion for adjourning of Committees may be made after one o'Clock,

1699, 29 *Jan.* *Ordered*, That the Order touching Committees being ad-

Journed at the Rising of the House, do extend only to such Committees as are to sit in the Afternoons of the Days upon which Committees shall be adjourned.

1641, 17 Oct. *Ordered*, That no Committee whatsoever shall be revived to sit, without a new Order, from the House, made after eleven o'Clock ; and that no Parties or Witnesses shall attend without new Summons.

1700, 11 Mar. *Resolved*, That in case (upon the Days the Committee of Privileges and Elections is to sit) there shall be a Debate in the House, which holds till four o'Clock, the said Debate shall be then adjourned till a further Day.

1747, 16 Nov. *Ordered*, That a Committee of Privileges and Elections be appointed, and meet this Day seven-night at five of the Clock in the Afternoon in the Speaker's Chamber, and do sit every *Wednesday, Friday and Monday* in the Afternoon ; and all that come are to have Voices ; and they are to take into Consideration all such Matters as shall or may come in Question touching Returns, Elections and Privileges ;  
and

and to proceed upon double Returns in the first Place, and to report their Proceedings, with their Opinions thereupon, to the House, from Time to Time; and all Persons that will question any Returns, are to do it within fourteen Days next, and so within fourteen Days next after any new Return shall be brought in; and the Committee are to have Power to send for Persons, Papers and Records for their Information; and all Members who are returned for two or more Places, are to make their Election by this Day three Weeks, for which of the Places they will serve, provided there be no Question upon the Return for that Place; and if any thing shall come in Question touching the Return, Election, or Matter of Privilege of any Member, he is to withdraw during the Time the Matter is in Debate; and that all Members returned upon double Returns do withdraw till their Returns are determined. Revived annually.

1698, 18 Jan. A Complaint having been made to the House, that there have been of late great Numbers of Strangers at the Committee of Privileges  
and

and Elections, that the Members cannot, &c.

*Ordered*, That the Serjeant at Arms attending this House do give Orders to the Door-keepers and Messengers of the House constantly to attend the Committee of Privileges and Elections, and other Committees sitting in the House, and take care that no Person do crowd, or sit upon the Seats of the House, either below, or above in the Gallery, where the Members ought to sit; and that such Witnesses as shall be examined at the said Committee do attend in the Lobby, and be called in one by one, and severally examined, and then withdraw, for others to come in and be examined, and that the Passage be kept clear for that Purpose.

|               |  |
|---------------|--|
| 1699, 16 Dec. | } Revived, and made<br>a standing Order<br>of the House. |
| 1711, 8 Dec.  |  |

1747, 16 Nov. *Ordered*, That the Grand Committee for Religion do sit every *Tuesday* in the Afternoon in the House.

That the Committee for Grievances do sit every *Thursday* in the Afternoon in the House.

That



That the Committee for Courts of Justice do sit every *Saturday* in the Afternoon in the House.

That the Committee for Trade do sit every *Friday* in the Afternoon in the House. Revived annually.

### ORDERS relating to Conferences.

1604, 26 Mar. *Two Questions arising,*  
**N**OTED as an ancient Rule of the House, that upon any Conference, the Number of the Commons named for the said Conference are always double to those of the Lords, and the Place of Meeting appointed by the Lords.

1604, 2 Ap. *First,* Whether the House were resolved in the Matter?

*Secondly,* Whether they should confer with the Judges?

And the House being at length induced to entertain the latter Question, it was carried by general Voice in the Negative, no Conference.

*Upon this Passage it was urged for a Rule,* That a Question being once made and carried, in the Affirmative or Negative, cannot be questioned again, but must stand as a Judgment of the House.

1620,



1620, 15 *Mar. Resolved*, That in prescribing of Conferences between both Houses moving from the Lords, they have done it verbally upon the Lords Report, entered into their Journal-Book; yet now Order for the House to afford the Lords the Expite about the Business, because it consists of so many Heads; but Sir *Edward Coke* to move the Lords this may not hereafter be taken for Precedent. *Vide the Report.*

*This Article is strictly agreeable to the Copy.*

1625, 8 *Aug.* Sir *Robert Philips*, moveth to send to the Lords, to know whether they intend a Committee of the whole House, or the whole House with the Speaker, because in the one Case to be uncovered, in the other Case not.

*Resolved*, That the Speaker and all to go as a House, and if the Lords keep bare, then to do the like; if they cover, then the Speaker, and the House to do the like.

1627, 12 *May, Ordered*, All the Gentlemen to give Room to the Reporters.

1641, 2 *Aug.* The Lords desire a present Conference by a Committee of both Houses presently in the Painted Chamber, if it may stand with the Conveniency of this House.

Answer returned by the same Messengers, that this House has taken their Lordships Message into Consideration, and will return an Answer by Messengers of their own.

Mr. *Pym* went up to the Lords with this Message : Whereas this House has received a Message from their Lordships for a present Conference, without any Expression of the Subject or Matter of the Conference, which is contrary to the constant Course of either House, and therefore this House cannot yield to a present Conference.

1641, 3 *Aug.* Ordered, That Sir *John Evelyn*, Mr. *Stroude*, and Mr. *Nichols*, are to go and take the Names of such Members as do now stay behind in the Painted Chamber ; and likewise it is ordered, that such of the Members, whose Names are returned by them, shall pay 5 s. a-piece ; and that the Clerk shall demand the 5 s. of the said Gentlemen accordingly.

1643,

1643, 26 Feb. *Ordered*, That Sir *Thomas Cheeke* do desire the Earl of *Stamford* to forbear coming to the Committees of this House, it being contrary to the Privilege of the House.

The Lords Order, 21 February, 1647, declaring the Right of every Peer to come to any Committee of both, or either House ; and in particular to the Committee of both Kingdoms, this first of *March* read, and Conference desired of the Lords thereon ; and Committees to prepare a Declaration to be offered, whereby they may express the Resentment the House has of the Proceedings of the Lords herein.

1660, 25 Aug. *Ordered*, That the Serjeant at Arms attending this House suffer none to go out of the House, till those that are to manage the Conference are gone forth.

1688, 6 Feb. The House being informed, that there was so great a Crowd in the Painted Chamber, that the Members appointed to manage the free Conference, could not come to the Bar.

*Ordered*, That the Serjeant at Arms attending this House do go immediately (without the Mace) to the Painted Chamber,

Chamber, and require the present Return to this House of all the Members thereof, who are in the Painted Chamber (except Serjeant *Maynard*, Sir *Robert Howard*, and Mr. *Pollexfen*) who are at present lame, in order to the Rooms being cleared of Strangers.

The House being informed by the Serjeant at Arms, that he had acquainted the Members with the Order of the House, and that very few of them took Notice of the Direction of the House:

*Ordered*, That the Clerk of this House do go immediately (with the Signet) and take the Names in writing of such Members, as shall refuse to obey such the Direction of the House.

1702, 16 *Jan.* *Ordered*, That no Members do presume to stand within the Bar at the Table, in the Painted Chamber, but such as are appointed Managers; and the Serjeant to summon the Members to attend the House.

*Ordered*, That no Members do presume to go out of the House, till the Managers are gone out for the free Conference, and until Mr. Speaker do leave the Chair.

*Call*

*Call of the House, the Manner.*

1626, 2 June.

**T**HE House to be called, and no Excuse to be made, till the House be fully called over ; and then the Excuses to be heard, the Forfeitures to be disposed and disbursed, in such Sort as the House shall think fit ; and if any failing, and their Excuses not allowed, shall not pay the Money forfeited within a Week, then the Serjeant at Arms to be sent for him to come to the House to answer it ; and, after the House is called over, the Defaulters to be presently called.

1626, 10 June, The Sum to be forfeited 10*l*.

**ORDERS** *touching Motions for Leave into the Country.*

1606, 29 Nov.

**A** Special Order moved and made, that no Lawyer of the House depart the Town without Leave of the House.

1606,



1606, 12 *Mar.* *Agreed for Order,*  
That no Man should depart without  
paying the ordinary Fee of 6 s. 8 d. to  
the Clerk.

1620, 13 *Feb.* *Ordered,* That no Mem-  
ber of this House shall go out of Town,  
without open Motion and Licence in the  
House after nine o'Clock.

1675, 17 *May* }  
—, 18 *Nov.* } After 10 o'Clock.  
1676, 22 *Feb.* }

1623, 4 *Aug.* *Resolved,* That all the  
Members of the House shall attend, and  
not depart without Licence obtained  
from the House, upon Pain of the Cen-  
sure thereof.

1627, 9 *Feb.* *Revived.*

1625, 13 *Feb.* 5 *Ap.* 1627, 9 *Feb.*  
10 *Ap.* *Ordered,* That no Lawyer, or  
other Member of this House, shall depart  
without Licence first obtained in the  
House, by Motion made after nine  
o'Clock.

1640, 10 *Mar.* Between nine and  
eleven o'Clock.

1641, 27 *Aug.* Between ten and  
eleven o'Clock.

1648,

|          |               |   |   |  |
|----------|---------------|---|---|--|
| 1648, 24 | <i>Ap.</i>    | } | Between eleven<br>and twelve<br>o'Clock.  |  |
| 1678, 10 | <i>May</i>    |   |   |  |
| 1690, 29 | <i>Ap.</i>    |   |   |  |
| 1691, 15 | <i>Dec.</i>   |   |   |  |
| 1692, 15 | <i>Dec.</i>   | } | Between eleven and<br>one o'Clock.  |  |
| 1694, 4  | <i>Dec.</i>   |   |   |  |
| —, 12    | <i>Jan.</i>   |   |   |  |
| —, 15    | <i>Feb.</i>   |   |   |  |
| 1695, 11 | <i>Jan.</i>   | } |   |  |
| —, 15    | <i>Feb.</i>   |   |   |  |
| 1696, 2  |               |   |   |  |
| —, 6     |               |   |   |  |
| —, 16    | } <i>Nov.</i> | } |   |  |
| —, 25    |               |   |   |  |
| 1698, 5  | <i>Jan.</i>   |   |   |  |
| 1701, 31 | <i>May</i>    | } | Between one and<br>two o'Clock.   |  |
| 1712, 1  | <i>May</i>    |   |   |  |
| 1713, 30 | <i>May</i>    |   |   |  |
| 1667, 20 | <i>Feb.</i>   |   |   |  |
| 1679, 8  | <i>Ap.</i>    | } | Till after ten<br>o'Clock.  |  |
| 1679, 10 |               |   |   |  |
| —, 23    | } <i>Ap.</i>  |   |   |  |
| 1691, 15 |               |   |   |  |
| 1693, 31 | <i>Jan.</i>   | } | Between ten and twelve<br>o'Clock, with this Addi-<br>tion, to be sent for in<br>Custody of the Serjeant<br>at Arms attending this<br>House, and shall not be<br>admitted to their Places<br>in the House, till they<br>have paid the Serjeant his<br>Fees and Charges. |  |
| 1694, 20 | <i>Dec.</i>   |   |   |  |
| —, 22    | <i>Jan.</i>   |   |   |  |
| 1711, 29 | <i>Mar.</i>   |   |   |  |
| 1722, 23 | <i>Feb.</i>   | } |   |  |
| 1724, 21 | <i>Jan.</i>   |   |   |  |

1668, 11 *March*, *Ordered*, That for the future, no Member of this House have Leave to go into the Country, without limiting a Time when he is to return.

1699, 26 *Feb.* *Ordered*, That no Motion be made, for any Member to have Leave to go out of Town; but when the Member for whom Leave shall be asked, be in the House, except in Case of Sickness, to be affirmed by the Member that shall make such Motion.

1701, 31 *May*, Order for the Speaker to write circular Letters to summons the Members; the Form of them.

1705, 11 *Feb.* *Ordered*, That no Motion be admitted for any Member to go out of Town, and that no Member do presume to go out of Town, upon Pain of being sent for in Custody of the Serjeant at Arms attending this House.

## ORDERS

ORDERS for fining Defaulters on  
the Call of Members absent without  
Leave, and Deserters, &c.

1641, 25 Oct. Ordered,  
**T**HAT the House be called on *Fri-*  
*day* come seven-night, and that  
such Members as are then absent, shall  
undergo such Fine and further Displea-  
sure of the House, as shall be imposed  
upon them for their Neglect.

1664, 28 Mar. Resolved, &c. That  
the Penalty of 10 *l.* for a Fine be im-  
posed for every Knight of a Shire ; and  
5 *l.* on every Citizen, Burgefs, or Baron  
of Cinque Port, who shall make De-  
fault in attending, when the House is  
next called over, whose Excuse shall not  
be allowed of by the House.

1666, 6 Nov. To be sent for in Cuf-  
tody of the Serjeant.

1666, 17 Dec. Ordered, The Clerk  
take care the Order for calling the  
House in *January* next, be printed in  
the next *Thursday's* Gazette.

1670, 20 Dec. Resolved, &c. That  
the House be called over on the 9th  
Day of *January* next, and that every  
Member

Member, who shall then make Default of Attendance, whose Excuse shall not be allowed by the House, shall be doubly assessed in the Bill of Subsidies : This Order to be sent to the several Sheriffs.

1680, 27 Oct. Ordered, That such that are sent for in Custody, be not admitted to sit till they have paid their Fees.

1691, 23 Nov. Ordered, That all Members sent for in Custody of the Serjeant at Arms attending this House, do forbear coming into the House, without Leave of the House first had.

1747, 1 Dec. Ordered, That the House be called over upon Monday the 18th of January next; that such Members as shall not then attend be sent for in Custody of the Serjeant at Arms attending this House. Revived annually.

1666, 18 Dec. Ordered, That such Members of the House as do depart into the Country without Leave, be sent for in Custody of the Serjeant at Arms.

|              |            |
|--------------|------------|
| 1689, 11 May | } Revived. |
| —, 28 Nov.   |            |
| 1690, 2 Dec. |            |



1667, 13 *Feb. Resolved, &c.* That every Defaulter in Attendance, whose Excuse shall not be allowed this Day, be fined the Sum of 40 *l.* and sent for in Custody, and committed to the *Tower*, till the Fine be paid.

*Resolved, &c.* That every Member, as shall desert the Service of the House for the Space of three Days together (not having had Leave granted him by the House, nor offering such sufficient Excuse to the House, as shall be allowed) shall have the like Fine of 40 *l.* imposed on them; and shall be sent for in Custody, and committed to the *Tower*; and that the Fines be paid into the Hands of the Serjeant at Arms, to be disposed of as the House shall direct.

1668, 6 *Ap.* To pay a Fine of 10 *l.*

1709, 25 *Jan. Resolved, That* such Members of this House, who do absent themselves without the Leave of the House, are to be reputed Deserters of their Trust, and Neglecters of that Duty they owe to this House, and their Country.

ORDERS *about bringing Delinquents and Prisoners to the Bar.*

1604, 9 May.

**R**ULE, that no Delinquent is to be brought in, but by the Serjeant with his Mace.

1625, 6 Mar. Mr. Attorney being come to give Satisfaction to the House from the Duke of Bucks;

*Resolved*, He be brought in with the Mace, and then stand at the Bar to be heard, and then to withdraw.

1723, 12 Dec. The Order of the Day being read for the second Reading of the Bill for inflicting certain Pains and Penalties upon *George Kelly, alias Johnson*.

*Ordered*, That the Serjeant at Arms do stand with the Mace at the Bar, whilst the Prisoner is there.

1640, 12 Nov. Mr. *Watkin*, a Member of the House, disobeying the House, being several Times commanded to withdraw, was therefore called to the Bar, and upon his Knees submitted himself to the Censure of the House.

1750, 31 Jan. *Resolved*, That it appears to this House, that *Richard Crowle*, Esq; during the late Scrutiny of the Poll for the City of *Westminster*, after he had full Notice of the Orders of this House, given to the High Bailiff of the said City, to expedite the said Scrutiny, did wilfully and designedly protract the same ; and when he was reminded of the said Order by the High Bailiff, did publickly avow and declare he had done so ; and did utter disrespectful Words in Contempt of the Authority of this House.

*Ordered*, That the said Mr. *Crowle* be now brought to the Bar of this House, and be upon his Knees reprimanded by Mr. Speaker for the said Offence : He was brought in accordingly, and upon his Knees, reprimanded by Mr. Speaker, and discharged paying his Fees.

*House of Commons Right of Commitment.*

1675, 7 June. *Resolved, Nemine Contradicente,*

**T**H A T no Person committed for Breach of Privilege, by Order of this House, ought to be discharged during the Session of Parliament, but by Order, or Warrant of this House.

1675, 9 June, *Resolved, Nemine Contradicente,* That no Commoner of *England*, committed by Order or Warrant of the House of Commons for Breach of Privilege, or Contempt of that House, ought, without Order of that House, to be by any Writ of *Habeas Corpus*, or any Authority whatsoever, made to appear and answer, and to do and receive a Determination in the House of Peers, during that Session of Parliament, wherein such Person was so committed.

1697, 22 Mar. *Resolved,* That no Person committed by this House can, during the same Session, be discharged by any other Authority whatsoever.

1701, 26 Feb. Colonel *Granvil* reported from the Committee of the whole House, to consider further of the Rights,

Liberties, and Privileges of the House of Commons, that they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

The Report ordered to be read immediately, and he reported, *viz.*

*First, Resolved*, That it is the Opinion of this Committee, that to assert that the House of Commons is not the only Representative of the Commons of *England*, tends to the Subversion of the Rights and Privileges of the House of Commons, and the fundamental Constitution of the Government of this Kingdom.

*Secondly, Resolved*, That it is the Opinion of this Committee, that to assert, that the House of Commons have no Power of Commitment, but of their own Members, tends to the Subversion of the Constitution of the House of Commons.

*Thirdly, Resolved*, That is is the Opinion of this Committee, that to print or publish any Books or Libels reflecting on the Proceedings of the House of Commons, or any Member thereof, for, or relating to, his Service therein, is a  
high



high Violation of the Rights and Privileges of the House of Commons.

*Fourthly, Resolved*, That it is the Opinion of this Committee, that it is the undoubted Right of the People of *England* to petition, or to address the King, for the calling, sitting, or dissolving of Parliaments, and for the redressing of Grievances.

*Fifthly, Resolved*, That it is the Opinion of this Committee, that it is the undoubted Right of every Subject of *England*, under any Accusation, either by Impeachment or otherwise, to be brought to a speedy Trial, in order to be acquitted or condemned.

The said Resolutions being severally read a second Time, were, upon the Question severally put thereupon, agreed to by the House.

1704, 8 *March*, *Resolved*, That no Commoner of *England*, committed by the House of Commons for a Breach of Privilege, or Contempt of that House, ought to be, by any Writ of *Habeas Corpus*, made to appear in any other Place, or before any other Judicature during that Session of Parliament, wherein such Person was so committed.

*Resolved*, That the Serjeant at Arms attending this House do make no Return of, or yield any Obedience to the said Writs of *Habeas Corpus*; and for such his Refusal, that he have the Protection of the House of Commons.

*Resolved*, That the Lord Keeper be acquainted with the said Resolutions, to the End that the said Writs of *Habeas Corpus* may be superseded, as contrary to Law, and the Privilege of this House.

*Ordered*, That the Clerk of this House do acquaint the Lord Keeper of the Great Seal of *England*, with the said Resolution.

1707, 4 *Ap.* *Resolved*, That when any Person ordered to be taken into the Custody of the Serjeant at Arms, shall either abscond from Justice, or having been in Custody, shall refuse to pay the just Fees; in either of those Cases, the Order for Commitment shall be revived at the Beginning of the next Session of Parliament, and that this be declared to be a standing Order of the House.

## ORDERS about Quarrels.

1641, 31 Jan. Ordered.

**T**HAT Mr. Speaker shall have a Warrant to stay at any time, to apprehend and stay such Members of this House, as he shall be informed do either send Challenges, or receive or entertain Challenges.

1645, 28 Ap. Ordered, That if any Quarrel happen between any Gentlemen, or others, in any Place, within the Cities of *London* and *Westminster*, and the Lines of Communication (the House not sitting) that upon Information thereof to Mr. Speaker, he shall have Power to send for the Parties, and secure their Persons, till the House be acquainted with it, and take further Order.

F 5

ORDERS.

ORDERS touching Privilege and  
*Protections.*

1680, 27 Oct. *Resolved, Nemine  
 Contradicente,*

**T**HAT it is, and ever hath been  
 the undoubted Right of the Sub-  
 jects of *England*, to petition the King  
 for the calling and sitting of Parliaments,  
 and redressing of Grievances.

*Resolved, Nemine Contradicente,* That  
 to traduce such Petitioning, as a Viola-  
 tion of Duty, and to represent it to his  
 Majesty, as seditious and tumultuous,  
 is to betray the Liberty of the Subject,  
 and contributes to the Designs of sub-  
 verting the ancient Legal Constitution  
 of this Kingdom, and introducing Ar-  
 bitrary Power.

1555, 6 Dec. It is ordered, that Mr.  
 Comptroller, with others of the House,  
 shall declare to the Lords, that their Opi-  
 nion is, that their Privilege is broken ;  
 for that *Gabriel Pledall*, a Member of  
 this House, was bound in a Recognizance  
 in the Star Chamber to appear there  
 before the Council, within twelve Days  
 after the End of this Parliament.

Whereupon

Whereupon Mr. Comptroller, from the Lords, said, They would send Answer thereof to the House.

Mr. *Martin* and Mr. *Lewis*, from the Lords, said, They required six of the House to confer with the Lords for that Cause ; and Mr. Comptroller, Mr. *S. Petre*, with four others, went up.

And they reported, that the Chief Justice, Master of the Rolls, and Serjeants, do clearly affirm, That the Recognizance is no Breach of Privilege.

1692, 23 Dec. Mr. *John How* (according to the Order of the House) reported from the Committee appointed to consider how the Privilege of this House, in relation to Suits at Law and Equity may be regulated and limited, and to report their Opinion therein to the House ; that they had considered of the Matter to them referred, and had agreed upon several Resolutions, which they had directed him to report to the House, and which he read in his Place, and afterwards delivered in at the Clerk's Table, where they were at the same Time read, and are as follows, *viz.*

1692, 23 Dec. Resolved, That it is the Opinion of this Committee, that a



Commoner has at all times Liberty to file an original Bill of *Middlesex Latitat'*, or *Quo Minus*, or make an Entry to save a Right, in order to prevent a Bar by the Statute of Limitation against any Member of this House, notwithstanding any Privilege whatsoever.

*Resolved*, That it is the Opinion of this Committee, that if any Member shall, upon Notice in Writing (signed by the Plaintiff, his or her Attorney, when and where to appear) refuse to give an Appearance to any Action whatsoever brought against him by a Commoner, at any Time (except when the House shall be actually sitting, as aforesaid) the Plaintiff in such Action shall have Liberty to complain thereof, by Petition in the next Session of Parliament.

*Resolved*, That it is the Opinion of this Committee, that a Commoner has at all Times Liberty to exhibit any Bill in Equity against any Member of this House, to examine Witnesses thereupon, in order only to preserve their Testimony, notwithstanding any Privilege whatsoever.

*Resolved*, That it is the Opinion of this Committee, that no Servant of any  
Member

Member shall at any Time have any Privilege in any Suit or Proceeding, in Law or Equity, brought against him, except only as to the arresting and imprisoning his Person, during the actual Sitting of Parliament, for the Dispatch of Business, as aforesaid.

*Resolved*, That it is the Opinion of this Committee, that the Meeting of the House at any Time, in order only to an Adjournment or Prorogation, shall not be understood or interpreted to give any other than personal Privilege to any Member against a Commoner.

*Resolved*, That this House will upon Friday Morning next take the said Report into Consideration.

*Note*. This Report was never considered of, or agreed to by the House.

1654, 14 Feb. Sir *Richard Onslow* reported the same Resolutions, but nothing was done therein.

1550, 19 Feb. *It was ordered*, That the Lord Chancellor may direct the King's Writ of Attachment to the President of the King's Council in the North Parts, to attach *Henry Witherington* and others, upon the Complaint of Sir *Robert Brand-*

*Brandling*, Knt. Burgesses for *Newcastle*, exhibited to the higher House.

1621, 1 *June*. Ordered upon *Question*, That in case of any Arrest, or any Distress of Goods, serving any Process, Citation for his Person, arresting his Person, staying him in any Court, or breaking any other Privilege of this House, a Letter shall issue under Mr. Speaker's Hand for the Party's Relief therein, as if the Parliament were sitting, and the Party refusing to obey it, to be censured at next Meeting.

1751, 18 *Ap*. Complaint being made to the House, That Sir *John Molesworth*, Bart. a Member of this House, was upon *Thursday* Night last, about eleven o'Clock apprehended by *Thomas Mason*, a Constable of the Parish of *St. Martins in the Fields*, in the Liberty of *Westminster*, and was by the said *Thomas Mason* insulted, abused, and detained in Confinement all Night, in Breach of the Privilege of this House; and that *Daniel Carne*, High Constable of the City and Liberty of *Westminster*, coming to the Place where the said Sir *John Molesworth* was so detained, did, in Breach of the Privilege of this House, refuse to discharge

discharge the said Sir *John Moleworth*, except upon Condition, that he would take no Notice of what had passed; which Condition the said Sir *John Moleworth* refusing to comply with; and the said High Constable thereupon going away, the said Sir *John Moleworth* was detained for some Hours longer.

*Ordered*, That the said *Thomas Mason* be, for his said Breach of Privilege, taken into the Custody of the Serjeant at Arms attending this House.

*Ordered*, That the said *Daniel Carne* be for the said Breach of Privilege, taken into the Custody of the Serjeant at Arms attending this House.

1751, 19 *Ap.* A Petition of *Daniel Carne*, High Constable of the City and Liberty of *Westminster*, now a Prisoner in Custody of the Serjeant at Arms attending this House, was presented to the House and read, acknowledging his Offence, in having committed a Breach of the Privilege of this House, and expressing his unfeigned Sorrow for the said Offence; and representing to the House, that the Petitioner's Confinement is of the utmost Detriment to him in regard to the Duty of his Office, as well



well as his private Affairs ; and therefore praying that the House will be pleased to take the Premises into their Consideration, and order him to be discharged from his Confinement.

*Ordered*, That the said *Daniel Carne* be this Day brought to the Bar of this House, in order to his being discharged.

*Daniel Carne* was, according to Order, brought to the Bar, where he, upon his Knees, received a Reprimand from Mr. Speaker, and was ordered to be discharged out of Custody, paying his Fees.

1627, 23 Feb. *Resolved upon Question*, That every Member of this House is, during the Time of Privilege of Parliament, to have Privilege for his Goods and Estate.

1751, 2 Ap. Complaint being made to the House, that ——— *Stoke*, of the Parish of *Wingham*, in the County of *Kent*, Carpenter, and *John Hewson* of the same Place, Shoemaker, did, in Breach of the Privilege of this House, enter upon the Lands of *Sir George Oxenden*, Bart. a Member of this House.

*Ordered*, That it be referred to the Committee of Privileges to examine the Matter of the said Complaint, and report



port the same with their Opinion thereupon to the House.

*Ordered*, That it be an Instruction to the Committee of Privileges and Elections, that the Matter of the Complaint, this Day made to the House, in relation to the Breach of Privilege committed against Sir *George Oxenden*, Bart. a Member of this House, be heard before the said Committee, upon *Friday* Fortnight, the 19th of this Instant *April*.

1751, 16 *Ap*. The House was moved, that the Instruction given to the Committee of Privileges and Elections, upon *Tuesday* the 2d Day of this Instant *April*, that the Matter of the Complaint that Day made to the House, in relation to the Breach of Privilege committed against Sir *George Oxenden*, Bart. a Member of this House, be heard before the said Committee upon *Friday* the 19th of this Instant *April*, might be read; and the said Instructions being read accordingly,

*Ordered*, That the said Instruction be discharged.

*Ordered*, That it be an Instruction to the said Committee, that they do hear the Matter of the said Complaint upon *Friday* Fortnight, the 3d of *May* next.

1751,

1751, 25 *Ap.* The House being informed, that Satisfaction had been given to Sir *George Oxenden*, Bart. a Member of this House, in relation to the Breach of Privilege complained of upon the 2d Day of this Instant *April*.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1753, 19 *Mar.* A Complaint being made to the House, that in Breach of the Privilege of this House, *James Wheeler*, together with *Richard Wyatt*, *Thomas Reading*, *William Reading*, *Thomas Ansell*, *John Sherier*, *Robert Lambert*, and *Henry Burch*, or *Buriton*, in the County of *Southampton*, *Joseph Tribe* of *Ramsdean*, *Thomas Cooper* of *Emsworth*, and *Lawrence Matthews* of *Weston* in the said County, did, upon the 19th and 20th Day of *February* last, fish with a Boat and Net in a Pond in the Possession of *John Jolliffe*, Esq; a Member of this House; and that the Fish so taken were carried away by them, or some of them; and also, that in Breach of the Privilege of this House, the said *James Wheeler*, together with

*George*

*George Sherier of Buriton* aforesaid, and *John Guman* the younger of *Petersfield*, in the said County, did, upon the 26th Day of *February* last, take up and carry away several Stones, set up by the said Mr. *Jolliffe*, as Bound-Stones, or Marks of the Boundaries of his Manor of *Petersfield* aforesaid.

Ordered, That it be referred to the Committee of Privileges and Elections to examine the Matter of the said Complaint, and to report the same with their Opinion thereupon to the House.

1753, 2 *Ap.* The House being informed, that the Persons complained of upon the 19th Day of *March* last for a Breach of Privilege committed against *John Jolliffe*, Esq; a Member of this House, had made Satisfaction to the said *John Jolliffe*, Esq; in Relation to the said Breach of Privilege.

Ordered, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1753, 7 *Ap.* A Complaint being made to the House, that in Breach of the Privilege of this House, *John Williams* of *Ladbroke*, in the County of *Flint*,  
has,

has, by Force, entered upon the Lands of *Thomas Salusbury*, Esq; a Member of this House, and keeps Possession of the same.

*Ordered*, That it be referred to the Committee of Privileges and Elections to examine the Matter of the said Complaint, and to report the same, with their Opinion thereupon, to the House.

1753, 2 May, The House being informed, that Satisfaction had been made to *Thomas Salusbury*, Esq; a Member of this House, in Relation to the Breach of Privilege complained of upon the 7th of *April* last.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1753, 21 Nov. A Complaint being made to the House, that, in Breach of the Privilege of this House, *Francis Carlill*, *Thomas Carlill* the elder, *Thomas Carlill* the younger, *John Carlill* the elder, *John Carlill* the younger, *William Carlill*, *John Ruley*, and *William Kidd* of *El-loughton*, in the County of *York*, Yeomen, did, upon the 23d, 24th and 25th of *May* last, in a riotous and forcible Manner,  
enter



enter upon the Lands of *Luke Robinson*, Esq; (a Member of this House) in the Parish of *Elloughton* aforesaid, and break down the Banks and Inclosures thereof, and put their Cattle upon the Lands.

*Ordered*, That it be referred to the Committee of Privileges and Elections to examine the Matter of the said Complaint, and to report the same, with their Opinion thereupon, to the House.

1754, 21 Jan. The House being informed, that the Matter of the Complaint made to the House, upon *Wednesday* the 21st of *November* last, that in Breach of the Privilege of this House, *Francis Carlill*, &c. did, in a riotous and forcible Manner, enter upon the Lands of *Luke Robinson*, Esq; (a Member of this House) in the Parish of *Elloughton* aforesaid, and break down the Banks and Inclosures thereof, and put their Cattle upon the said Land, had been ended to the Satisfaction of the said Mr. *Robinson*, and of the Parties concerned.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1753,



1753, 20 *Dec.* A Complaint being made to the House, that, in Breach of the Privilege of this House, *Thomas Rives*, Esq; of *Ramson*, near *Blandford*, in the County of *Dorset*, had lately seized and detained three Horses, the Property of Sir *William Codrington*, Bart. a Member of this House ;

*Ordered*, That it be referred to the Committee of Privileges and Elections, to examine the Matter of the said Complaint, and to report the same, with their Opinion thereupon, to the House.

1754, 21 *Jan.* The House being informed, that Satisfaction had been made to Sir *William Codrington*, Bart. a Member of this House, in relation to the Breach of Privilege complained of upon the 20th of *December* last.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1660, 15 *Nov.* Resolved and Declared by the Commons assembled in Parliament, That the Privilege of this House, in Point of Protections from Arrests, doth belong to the Members of this House, and their menial Servants only, and to the

the Officers attending the Service of the House ; and that all Protections in Writing, granted by any Member of this House, to any Person whatsoever, be forthwith called in, and are hereby declared to be null and void ; and all Persons, whom this may concern, are required upon all Occasions to take Notice of the Privilege belonging to the Members of this House.

*Resolved*, That this Order be forthwith printed and published.

1647, 25 Nov. *Resolved*, &c. That this House doth declare, that the Persons that are summoned to attend any Committee of this House, as Witnesses, in any Cause depending before them, ought to have the Privilege of Parliament, and to be freed from Arrests in coming, staying, and returning to the said Committee.

1688, 8 Mar. *Resolved*, That it is the undoubted Right of this House, that all Witnesses summoned to attend this House, or any Committee appointed by it, have the Privilege of this House in coming, staying and returning.

1692, 23 Dec. Mr. *John How* (according to the Order of the Day) reported

ported from the Committee appointed to consider how the Privilege of this House, in relation to Suits at Law and Equity, may be regulated and limited, and to report their Opinions therein to the House, that they had considered of the Matter to them referred, and had agreed upon several Resolutions, which they had directed him to report to the House, and which he read in his Place, and afterwards delivered in at the Clerk's Table, where the same were read, and are as follows, viz.

*Resolved*, That it is the Opinion of this Committee, that every Member of this House enjoy the Privilege of his Person against Arrests and Imprisonments, in such manner as has been heretofore used and accustomed.

1699, 17 *April*. Made a standing Order.

1663, 16 *July*. Upon Information, that the Wife of Mr. *Broom Whorwood*, a Member of this House, having obtained a Decree in the High Court of Chancery against Mr. *Whorwood*, for Alimony in the late Time of Usurpation ; and he having brought his Bill of Review to reverse the Decree, his Wife claims

claims Privilege of Parliament against her Husband, as the Wife of a Member of the House of Commons, and refuseth to answer.

*Resolved, &c.* That no Wife, or Servant of any Member of this House, ought to have Privilege of Parliament allowed, in any Case, against the Husband or Master of such Servant.

1675, 16 Nov. The House being informed, that Sir *Edmund Jennings*, a Member of this House, is made High Sheriff of the County of *York*, and a Debate arising thereupon,

*Resolved, &c.* That it is a Breach of the Privilege of this House, for any Member thereof to be made a Sheriff during the Continuance of the Parliament, and that a Committee be named, to consider of a proper Way of superseding the Commission.

1689, 7 Jan. The House being informed, that Sir *Jonathan Jennings* was lately made High Sheriff of *Yorkshire*, a Debate arose thereupon,

*Resolved, Nemine Contradicente*, That the nominating any Member of this House to the King, to be made a High  
G Sheriff,

Sheriff, is a Breach of the Privilege of this House.

1625, 15 Feb. Sir *John Finch* reporteth, that the Committee are of Opinion, that Sir *Thomas Badge's* Man shall be delivered by *Habeas Corpus* from this House; upon Question, a Warrant ordered accordingly.

*The House declareth*, That notwithstanding the said Opinion of the Committee, that the House hath a Power, when they see Cause, to send the Serjeants immediately to deliver a Prisoner.

1663, 28 Mar. *Resolved*, &c. That if any menial Servant be arrested and detained, contrary to Privilege, he shall, upon Complaint thereof made, be discharged by Order from the Speaker.

1666, 20 Dec. *Resolved*, &c. That it be referred to Mr. Speaker to examine the Matter, and if he find that the said *William Jackson* was suited and arrested, contrary to the Privilege of this House, to give Order for his Discharge, and for Stay of all Proceedings in the Suit.

*Ordered*, That in all Cases of the like Nature, where Servants of Members are alledged to be arrested, in Breach of  
Pri-



Privilege, it be referred to Mr. Speaker ; and if he find it so, to give Order for their Discharge, and for Stay of the Suit.

1751, 2 May, Complaint being made to the House, that, in Breach of the Privilege of this House, *Joseph Vernon*, a menial Servant of *Thomas Medlycott*, Esq; a Member of this House, was, upon *Tuesday* last, summoned by *E. Crowther*, one of the Bailiffs of the County Court of *Middlesex*, to appear in the said Court this Day, to answer to *Richard Best* in a Plea of Trespas on the Case ;

*Ordered*, That it be referred to the Committee of Privileges and Elections, to examine the Matter of the said Complaint, and report the same, with their Opinion thereupon, to the House.

1751, 6 May, *Ordered*, That it be an Instruction to the Committee of Privileges and Elections, that they do hear, upon *Wednesday* seven-night, the 15th of this Instant *May*, the Matter of the Complaint, made to the House upon *Friday* last, in relation to the Breach of Privilege committed against *Thomas Medlycott*, Esq; a Member of this House.

1751, 11 *May*, The House being informed, that Satisfaction had been given to *Thomas Medlycott*, Esq; a Member of this House, in relation to the Breach of Privilege complained of, upon *Thursday* the 2d Day of this Instant *May*.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1752, 20 *Mar.* Complaint being made to the House, that, in Breach of the Privilege of this House, *James Erwin*, a menial Servant of Sir *William Stanhope*, Knt. of the *Bath*, a Member of this House, had been arrested by *John Richardson*, a Sheriff's Officer, at the Suit of *Thomas Devenish*.

*Ordered*, That it be referred to the Committee of Privileges and Elections to examine the Matter of the said Complaint, and report the same, with their Opinion thereupon, to the House.

1752, 25 *Mar.* The House being informed, that the Person complained of upon *Friday* last, for a Breach of Privilege, committed against Sir *William Stanhope*, Knt. of the *Bath*, a Member of this House, hath promised to make  
Satis-

Satisfaction to the said Sir *William Stanhope*, in relation to the said Breach of Privilege.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding upon the Matter of the said Complaint.

1753, 9 *Mar.* A Complaint being made to the House, that, in Breach of the Privilege of this House, *Edward Galley*, a menial Servant of Mr. *Coventry*, a Member of this House, had been arrested by *William Benton*, a Sheriff's Officer, at the Suit of *Richard Glan*.

*Ordered*, That it be referred to the Committee of Privileges and Elections to examine the Matter of the said Complaint, and report the same, with their Opinion thereupon, to the House.

1753, 23 *Mar.* The Order of the Day being read, for receiving the Report from the Committee of Privileges and Elections, touching the Complaint made to the House upon the 9th Instant, that in Breach of the Privilege of this House, *Edward Galley*, a menial Servant of Mr. *Coventry*, a Member of this House, had been arrested by *William*

*Benton*, a Sheriff's Officer, at the Suit of *Robert Glan*.

Ordered, That the said Report be received upon *Monday Morning* next.

1753, 30 Mar. The Lord *Dupplin*, according to Order, reported from the Committee of Privileges and Elections, the Matter as it appeared to them, touching the Complaint made to the House upon the 9th Instant, that, in Breach of the Privilege of this House, *Edward Galley*, a menial Servant of *Mr. Coventry*, a Member of this House, had been arrested by *William Benton*, a Sheriff's Officer, at the Suit of *Richard Glan*, and the Resolution of the Committee thereupon; and he read the Report in his Place, and afterwards delivered it in at the Table, where the same was read; and the Resolution of the Committee being read a second Time, was agreed to by the House, and is as followeth, viz.

Resolved, That *William Benton*, an Officer of the *Marshalsea* Court, having on, or about *Friday* the 2d of *March*, arrested *Edward Galley*, a menial Servant to the Honourable *John Bulkley Coventry*, Esq; a Member of this House,

is thereby guilty of a Breach of the Privilege of this House.

*Ordered*, That the said *William Benton* be, for his said Breach of Privilege, taken into the Custody of the Serjeant at Arms attending this House.

1678, 2 *May*, The House being informed, that Mr. *John Gardiner*, Solicitor in the Cause concerning *Lindsey Level*, was this Day arrested as he was coming to attend on the House,

*Ordered*, That the Privilege of the House be allowed to the said Mr. *John Gardiner*, and that he be discharged from his Arrest.

1742, 9 *April*. A Complaint being made to the House, that Mr. *Gilbert Douglas*, a Solicitor for several Bills depending in this House, was upon *Monday* last arrested, as he was attending this House.

And the Journal of the House of the 2d Day of *May*, 1678 (in relation to the Allowance of the Privilege of this House to Mr. *John Gardiner*, Solicitor in the Cause concerning *Lindsey Level*, who was coming to attend on the House) being read,



And a Witness was called in and examined, in order to prove that the said Mr. *Gilbert Douglas* was so arrested.

And the House being informed by several of their Members, that he did attend the House, as Solicitor to several Bills then depending,

*Ordered*, That the Privilege of this House be allowed to the said Mr. *Gilbert Douglas*, and that he be discharged from his Arrests.

1740, 29 Jan. *Resolved*, That the bringing an Action at Law against *John Crisp*, for what he did in the Execution of his Duty, as a Constable attending the Service of this House, by endeavouring to prevent the Disorders of Chairmen, who were crowding upon the Stairs leading to the House to the Annoyance of the Members thereof, is a Breach of the Privilege of this House.

1753, 30 Ap. A Complaint being made to the House, that Mr. *Christopher Picard*, Solicitor for a Bill now depending in this House, was upon *Saturday* last arrested, and now remains in Custody, and a Witness being called in, and examined in order to prove, that

that the said Mr. *Christopher Picard* was so arrested.

And the House being informed by a Member, that the said Mr. *Picard* is employed as Sollicitor for the said Bill.

And the Journal of the House, 9th Day of *April*, 1742, in relation to the Allowance of the Privilege of this House to Mr. *Gilbert Douglas*, a Sollicitor for several Bills, then depending in the House, who was arrested, as he was attending the House, being read ;

*Ordered*, That the Privilege of this House be allowed to the said Mr. *Cris-  
topher Picard* ; and that he be discharged from his Arrest.

1550, 20 Feb. *It is ordered*, That if any Burgefs require Privilege for himself, or his Servant, he shall upon Declaration have a Warrant signed by Mr. Speaker to obtain a Writ : And for that *William Ward*, Burgefs of *Lancaster*, obtained a Writ of Privilege out of the Chancery, without a Warrant from this House, it is committed to Mr. *Mason* and others to examine the Matter and certify the same to the House.

1620, 17 Feb. *Ordered*, Where any Member of the House hath Cause of

Privilege to stay any Trial, a Letter shall issue under Mr. Speaker's Hand for staying thereof, without further Motion in the House.

1620, 3 *Mar.* *Resolved*, That the former Course of writing Letters to the Justices of Assize, shall be observed according to Precedents; and, if required, a Warrant for Inhibition to the Party shall be issued: And all these to be resolved by the House.

1641, 17 *Aug.* To let the Lords understand, that the Conviction of diverse Recusants has been hindered, under Pretence of Privilege of Parliament from their Lordships; and to declare unto their Lordships, that the Opinion of this House is, that no Privilege of Parliament ought to be allowed in this Case, for these Reasons. *First*, Privilege of Parliament is not to be allowed in case of Peace, if Peace be required. *Secondly*, It is not to be allowed against any Indictment for any thing done out of Parliament. *Thirdly*, It is not to be allowed in case of public Service for the Commonwealth, for that it must not be used for the Danger of the Commonwealth. *Fourthly*, It is in the Power of  
this

this Parliament, and doth not bind the the Parliament itself, so that their Lordships may withdraw their own Privilege as they see Cause ; and therefore to declare, that in these two Cases of disarming of Recusants, and convicting of them, no Privilege of Parliament ought to be allowed.

1641, 28 *Aug.* *The House doth declare,* That all Men ought to pay the Rates chargeable upon them by the Act for Poll-Money, notwithstanding any Pretence of Privilege, or Letters Patent of Exemption whatsoever.

1696, 30 *Nov.* *Declared and Resolved,* That no Member of this House hath any Privilege against Payment of any Aids, Supplies, or Taxes granted to his Majesty, or any Parish Duties.

1648, 14 *Ap.* *Ordered,* That upon every Action or Suit commenced before the Lords Commissioners of the Great Seal of *England*, or in any of the Courts at *Westminster*, against any Members of Parliament, the said Lords Commissioners, Judges, and Barons of the several Courts respectively, or any of them, shall by writing under his or their Hand and Seal give Notice thereof to every

fuch Member : Whereupon the Member is enjoined to give Appearance, and proceed as other Defendants, in case of like Suits of Actions, ought to do ; and, in Default thereof, both their Estates and Persons shall be liable to any Proceedings in Law or Equity, as other Members of this Commonwealth.

*Resolved*, That it is the Opinion of this Committee, that no Member, during the Continuance of this Parliament, have any Privilege (except personal) against a Commoner, in any Suit or Proceeding in Courts of Law or Equity, for any longer Time than the House shall be actually sitting for the Dispatch of Business in Parliament.

1699, 17 *April*. Made a standing Order.

1699, 30 *Nov*. *Resolved*, *Nemine Contradicente*, That no Member of this House, during the Continuance of this Parliament, has any Privilege (except for his Person only) against any Commoner, in any Suit or Proceedings in Courts of Law or Equity, for any longer Time than the House shall be actually sitting for Dispatch of Business in Parliament.

To



To be communicated to the Lords at a Conference.

1697, 7 Jan. }  
1699, 24 Nov. } Revived.  
1708, 18 Jan. }

1699, 17 Ap. } Made a standing  
1700, 13 Feb. } Order.

1691, 2 Nov. *Resolved*, That the Privilege of this House shall not be allowed to any Members thereof, in Cases wherein they are only Trustees, a Copy of the Bill or Declaration being first left with such Trustee.

1698, 12 Dec. *Resolved*, That no Member have Privilege of Parliament in any Case, wherein he is only a Trustee.

1699, 16 Nov. Revived.

1704, 24 Nov. Declared a standing Order.

1697, 14 April. *Resolved*, That no Member of this House hath any Privilege, in case of Breach of the Peace, or forcible Entries, or forcible Detainers.

1699, 27 Nov. *Resolved*, That no Member of this House, acting as a public Officer, hath any Privilege of Parliament,

liament, touching any Matter done in Execution of his Office.

1722, 16 Nov. *Resolved, Nemine Contradicente*, That no Copartner in any Trade or Undertaking, is intituled to the Privilege of this House in respect of any Matter relating to such Co-partnership.

1620, 15 Mar. *Resolved*, That no Protections be granted by any ; Service being the only Privilege in this House.

1620, 22 Mar. *Resolved*, No Protection under any Man's Hand of this House is good.

1621, 20 Nov. *Resolved by the House*, That all Protections granted by any Member of this House to any, not his menial Servant or Attendant, are void ; and ordered, that if any shall hereafter avow any such Protections unlawfully given, or shall after this Time give any, shall incur the Censure of the House.

1661, 25 Nov. *Resolved upon the Question*, That no Member of this House do grant any Protection to any, but such only as are their menial Servants ; and that all Protections already granted to any other Persons, besides menial Servants, be forthwith printed and published.

1662, 18 Feb. } This Order re-  
 1670, 9 Ap. } vived.

1661, 28 Nov. This House taking  
 into further Debate the great Grievances  
 of the People, occasioned by Pro-  
 tections,

*Resolved*, That all Protections, and  
 written Certificates of the Members of  
 this House, be declared void in Law,  
 and be forthwith withdrawn and called  
 in, and that none be granted for the  
 future; and that the Privilege of Mem-  
 bers for their menial Servants be ob-  
 served according to Law; and if any  
 menial Servant shall be arrested and de-  
 tained, contrary to Privilege, he shall  
 (upon Complaint thereof made) be dis-  
 charged by Order from the Speaker.

*Ordered*, That this Order be forth-  
 with printed and published.

1670, 9 Ap. and 19 Dec. Revived.

1694, 31 Jan. *Resolved and De-  
 clared*, That all written Protections  
 given by any Member of this House  
 are void, and against the standing Order  
 of the House.

1677, 7 Feb. The same Order, with  
 this Addition, viz. after for the future  
 add, (and that if any shall be granted by  
 any

any Member, such Member shall be liable to the Censure of the House.)

*Ordered*, That this be declared to be a standing Order of the House.

*Ordered*, That these Orders against written Protections be published, by setting them up at *Westminster-Hall Gate*, and at the Inns of Court and Inns of Chancery, and at the Exchequer; and that the Knights of the Shires do send Copies thereof to the Sheriffs of their respective Counties, and the Burgesses to their respective Boroughs.

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|----------------------|----------------------------|
| 1679, 30 <i>Ap.</i>  | } This Order re-<br>vived. |
| 1690, 13 <i>Mar.</i> |                            |
| 1693, 18 <i>Nov.</i> |                            |
| 1695, 30 <i>Nov.</i> |                            |
| 1698, 23 <i>Jan.</i> |                            |
| 1712, 29 <i>Mar.</i> |                            |

1718, 31 *Jan.* The standing Order of the House of the 23d *January*, 1 *William and Mary*, relating to Protections and written Certificates given by Members of this House, read.

And the House being moved that the said Order may be amended, and made more effectual.

*Ordered, Nemine Contradicente*, That all Protections and written Certificates  
of

of the Members of this House, be declared void in Law, and be forthwith withdrawn and called in, and that none be granted for the future ; and if any shall be granted by any Member, such Member shall make Satisfaction to the Party injured, and shall be liable to the Censure of the House.

*Ordered*, That the said Order be declared to be a standing Order of the House.

*Ordered*, That this Order be published, by setting up the same in the Lobby, at the House Door, at *Westminster-Hall* Gate, and at the several Courts in *Westminster-Hall* ; at the Inns of Courts, and Inns of *Chancery* ; and at the *Royal-Exchange*, and at the two Compters in *London* : And that the Knights and Commissioners of the Shires, do send Copies thereof to the Sheriffs of their respective Counties and Shires ; and the Citizens to their respective Cities, and the Burgesses and Commissioners of Burghs to their respective Boroughs.

1739, 20 *Mar.* The standing Order of the House made the 31st Day of *January*, 1718, That all Protections and  
written



written Certificates of the Members of this House, be declared void in Law, and be forthwith withdrawn and called in, and that none be granted for the future ; and that if any shall be granted by any Member, such Member shall make Satisfaction to the Party injured, shall be liable to the Censure of this House ; and also the Orders of the House made the same Day, for publishing the said standing Order, were read.

And the Journal of the House of the 18th of *February*, 1723, in relation to an Order of this House, for re-printing and publishing the said standing Order, was also read.

*Ordered, Nemine Contradicente*, That the standing Order be re-printed and published, by setting up the same in the Lobby, at the House-door, at *Westminster-Hall* Gate, and at the several Courts in *Westminster-Hall*, and at the Inns of Court, and Inns of *Chancery*, and at the *Royal Exchange*, and at the two Compters in *London*, and on the Walls within the Sessions-House at *Edinburgh* ; and that a Copy of the said Order be sent to the Clerk of the Peace for every County, City, Riding, Liberty, Division,

Division, and Place within that Part of *Great-Britain* called *England*, and to the principal Clerks of the Session in *Edinburgh*, with Directions to them respectively, forthwith to deliver a Copy thereof to the Sheriffs and Stewards of their respective Counties, Shires, Stewardries, Cities, Liberties and Places : And so yearly to every new Sheriff or Steward, within one Week after he shall have been sworn into his Office ; and all Sheriffs and Stewards of the several Counties, Shires, Stewardries, Cities and Places within this Kingdom ; and the Secondaries of the Compters in *London*, are hereby prohibited to enter in their Books, any Protection or written Certificate, signed by any Member of the House of Commons ; but upon such Protection or written Certificate being brought to them forthwith to return the same to the Clerk of this House.

*Ordered*, That the Clerk of this House, do forthwith acquaint the House with such Protections or written Certificates, as shall be so returned to him, if the Parliament be then sitting ; if the Parliament be not sitting within three Days after their next Meeting.

*Or-*

*Ordered*, That the said Orders be standing Orders of this House.

1694, 31 *Jan.* *Resolved*, That no Person shall be taken into Custody, upon Complaint of any Breach of Privilege of this House, before the Matter be first examined.

*Resolved and Declared*, That the said Order is not to extend to any Breach of Privilege upon the Person of a Member.

1695, 30 *Nov.* *Revived*.

1698, 12 *Dec.* *Resolved*, That no Person be taken into Custody of the Serjeant at Arms, upon any Complaint of Breach of Privileges, until the Matter of such Complaint have been examined by the Committee of Privileges, and reported to the House.

1699, 16 *Nov.* *Revived*.

1696, 30 *Oct.* *Resolved*, *Nemine Contradicente*, That the printing the Names of the Members of this House, and reflecting on the Members of this House, for their Proceedings in Parliament, is a Breach of the Privilege of this House, and destructive of the Freedom and Liberties of Parliaments.

1699, 22 *Ap.* *Resolved*, That the publishing the Names of the Members of  
this

this House, and reflecting upon them, and misrepresenting their Proceedings in Parliament, is a Breach of the Privilege of this House, and destructive to the Freedom of Parliaments.

1701, 7 Feb. *Resolved*, That the aspersing the last House of Commons, or any Member thereof, with receiving *French Money*, or being in the Interest of *France*, was a scandalous, villainous, and groundless Reflection, tending to Sedition, and to create a Misunderstanding between the King and his People.

*Resolved*, That *Thomas Colepepper*, Esq; is guilty of promoting the said scandalous, villainous, and groundless Reflection upon the said House of Commons, and that he be for his said Offence committed to *Newgate*.

1704, 2 May, *Resolved*, That to asperse any Member of the House of Commons with being in the Interest of the pretended Prince of *Wales*, or the *French* Government, for, or in respect of his Behaviour and Proceedings in the House of Commons, is villainous and seditious, destructive to the Liberties of Parliament, and the Freedom of Elections, and tends  
to

to create a Misunderstanding between her Majesty and her Subjects.

1733, 12 *Ap.* Complaint being made to the House by several Members of this House, that a tumultuous Crowd of People were assembled together last Night, and several Days during this Session in the Court of Requests, and other Avenues to this House; and that themselves, and several other Members of this House, were last Night, in their Return from this House, menaced, insulted, and assaulted by a tumultuous Crowd of People in the Passages to this House,

*Resolved and Declared, Nemine Contradicente*, That the assaulting, insulting, or menacing any Member of this House, in coming to, or going from the House, upon the Account of his Behaviour in Parliament, is an high Infringement of the Privilege of this House, a most outrageous and dangerous Violation of the Rights of Parliament, and an high Crime and Misdemeanor.

*Resolved and Declared, Nemine Contradicente*, That the assembling and coming of any Number of Persons, in a riotous, tumultuous, and disorderly manner to this House, in order either

to



to hinder or promote the passing of any Bill, or other Matter depending before the House, is an high Infringement of the Privilege of this House, and is detrimental to the Freedom and Constitution of Parliament, and an high Crime and Misdemeanor.

*Ordered*, That the Members of this House, who serve for the City of *London*, County of *Middlesex*, and City of *Westminster*, do signify the said Resolutions and Declarations to the Lord Mayor of *London*, Sheriffs of *Middlesex*, and High Bailiff of *Westminster*.

1751, 20 Nov. A Complaint being made to the House of a printed Pamphlet, intituled, *The Case of the Honourable Alexander Murray, Esq;* in an Appeal to the People of *Great Britain*, but more particularly the Inhabitants of the City and Liberty of *Westminster*.

The said Pamphlet was brought up to the Table and read,

*Resolved, Nemine Contradicente*, That an humble Address be presented to his Majesty, humbly to desire his Majesty, that he will be graciously pleased to give Directions to his Attorney General to prosecute the Authors or Author, Printers

Printers or Printer, and the Publishers or Publisher of the said scandalous Libel, in order that they may be brought to condign Punishment for the same.

*Ordered*, That the said Address be presented to his Majesty, by such Members of this House, as are of his Majesty's most Honourable Privy Council.

*N. B. Mr. Owen, a Bookseller, was tried for publishing it at Guild-hall before the Lord Chief Justice Lee, and acquitted.*

*On the King's taking Notice of Business transacted in the House before determined, Breach of Privilege, &c.*

1640, 12 Nov. *Ordered*,

**T**H A T Mr. Speaker be intreated to be here this Afternoon, to sit at the great Committee for *Irish* Affairs, and if there be Cause to resume the House.

Upon Mr. Comptroller's saying, that his Majesty, taking Notice, &c. it was observed the great Inconveniencies that might fall upon this House, if his Majesty should be informed of any Thing that

that is in Agitation in this House before it was determined. It was moved that some Course might be taken for preventing this Inconveniency.

1641, 6 July, *First, Resolved upon the Question*, That the issuing out of the Warrants from the Lords and others of the Privy Council, compelling Mr. *Hollis*, and the rest of the Members of that Parliament, 3 Car. I. during that Parliament, to appear before them, is a Breach of the Privilege of Parliament by those Privy Counsellors.

*Secondly, Resolved, &c.* That the committing of Mr. *Hollis* and the rest, by the Lords and others of the Privy Council, during the Parliament, is a Breach of the Privilege of Parliament, by those Lords and others.

*Thirdly, Resolved, &c.* That the searching and sealing of the Chamber, Study and Papers of Mr. *Hollis*, Mr. *Selden*, and Sir *John Elliot*, being Members of this House, and during the Parliament, and issuing Warrants to that Purpose, was a Breach of the Privilege of Parliament, and by those that executed.

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*Fourthly,*

*Fourthly, Resolved, &c.* That the exhibiting an Information in the Court of Star-Chamber, against Mr. *Hollis* and the rest, for Matters done by them in Parliament, being Members of the Parliament, and the same so appearing in the Information, is a Breach of Privilege of Parliament.

*Fifthly, Resolved, &c.* That Sir *Robert Heath*, Sir *Humphrey Davenport*, Sir *Henage Finch*, Mr. *Hudson*, and Sir *Robert Berkley*, that subscribed their Names to the Information, are guilty thereby of the Breach of Privilege of Parliament.

*Sixthly, Resolved, &c.* That there was Delay of Justice towards Mr. *Hollis*, and the rest that appeared upon the *Habeas Corpus*, in that they were not bailed in *Easter* and *Trinity* Term, 5 *Car.*

*Seventhly, Resolved, &c.* That Sir *Nicholas Hyde*, then Chief Justice of the *King's-Bench* is guilty of this Delay.

*Eighthly, Resolved, &c.* That Sir *William Jones*, then being one of the Justices of the Court of *King's-Bench*, is guilty of this Delay.

*Ninthly,*

*Ninthly, Resolved, &c.* That Sir *James Whitelock*, then one of the Justices of the *King's-Bench*, is not guilty of this Delay.

1641, 8 July, *Tenthly, Resolved, &c.* That Sir *George Crooke*, Knt. then one of the Judges of the *King's-Bench*, is not guilty of this Delay.

*Eleventhly, Resolved, &c.* That the continuing of Mr. *Hollis* and the rest of the Members in Prison, by the then Judges of the *King's-Bench*, for not putting in Sureties of their good Behaviour, was without just or legal Cause.

*Twelfthly, Resolved, &c.* That the exhibiting of the Information against Mr. *Hollis*, Sir *John Elliot*, and Mr. *Valentine*, in the *King's-Bench*, being Member of the Parliament, for Matter done in Parliament, was a Breach of the Privilege of Parliament.

*Thirteenthly, Resolved, &c.* That the over-ruling of the Pleas pleaded by Mr. *Hollis*, Sir *John Elliot*, and Mr. *Valentine*, upon that Information, to the Jurisdiction of the Court, was against the Law and Privilege of Parliament.

*Fourteenthly, Resolved, &c.* That the Judgment given upon a *nihil dicit*,



against Mr. *Hollis*, Sir *John Elliot*, and Mr. *Valentine*, and Fine thereupon imposed, and their several Imprisonments thereupon, was against the Law and the Privilege of Parliament.

*Fifteenthly, Resolved, &c.* That the several Proceedings against Mr. *Hollis* and the rest, by committing them, and prosecuting them in the *Star-Chamber*, and in the *King's-Bench*, is a Grievance.

*Sixteenthly, Resolved, &c.* That Mr. *Hollis*, Mr. *Strode*, Mr. *Valentine*, and Mr. *Long*, and the Heirs and Executors of Sir *John Elliot*, Sir *Miles Hobard*, and Sir *Peter Harman* respectively, ought to have Reparation for their respective Damages and Sufferings against the Lords and others of the Council, that put their Hands to the Information in the *Star-Chamber*, and the Judges of the *King's-Bench*.

*Seventeenthly, Resolved, &c.* That Mr. *Lawrence Whitaker* being a Member of the Parliament, 3 *Car.* and entering into the Chamber of Sir *John Elliot*, (being likewise a Member of this Parliament) searching of his Trunks and Papers and Sealing of them, is guilty of the Breach of Privilege of Parliament,  
this

this being done before the Diffolution of the Parliament.

*Resolved upon the Question*, That Mr. *Lawrence Whitaker* being guilty of the Breach of Privilege, as aforesaid, shall be sent forthwith to the *Tower*, there to remain Prisoner, during the Pleasure of the House.

Mr. *Whitaker* was called down, and kneeling at the Bar, Mr. Speaker pronounced Sentence against him.

1641, 10 Dec. *Resolved*, &c. That the setting of any Guard about this House, without the Consent of this House, is a Breach of the Privilege of this House, and therefore such Guards ought to be discharged.

*Resolved*, &c. That this Guard shall be immediately discharged by the Command of this House.

1641, 14 Dec. The Gentleman-Usher of the Black Rod came and acquainted Mr. Speaker, that his Majesty had sent for the House of Commons to attend him presently in the Lords House.

N. B. The King's Speech not entered.

To represent unto the Lords how the ancient Privilege of the Lords and Commons were now broken, in regard that his Majesty took Notice of a Bill, that was passing before it be represented to his Majesty, by the Consent of the Lords and Commons; and likewise in prescribing Savings, or Limitations, to a Bill, before it be presented to his Majesty, in the usual Manner; and to desire their Lordships to join with this House, in petitioning his Majesty, that this Inconveniency, and Breach of Privilege, for the future may be forborn.

*Resolved upon the Question,* That a Message be sent to the Lords, to desire a Conference with the Lords, concerning the Breach of Privilege of Parliament in two Particulars now moved concerning his Majesty's Speech, and to desire their Lordships to join with this House, in acquainting his Majesty herewithal in an humble Petition; and to desire that the like Inconveniency may be forborne for the future.

1641, 16 Dec. Mr. Pim reports from the Committee appointed to consider of the Breach of Privilege of Parliament,  
by

by reason of his Majesty's Speech to both Houses of Parliament on *Tuesday* last ; first, it was

*Resolved upon the Question, That the Privilege of Parliament was broken, by his Majesty's taking Notice of the Bill for pressing, being in Agitation in both Houses, and not agreed upon.*

*Secondly, Resolved upon the Question, That the Privilege of Parliament is broken, that his Majesty should propound a Limitation, and provisional Clause to be added to the Bill, before it was presented to him by Consent of both Houses.*

*Thirdly, Resolved, &c. That the Privilege of Parliament is broken, in that his Majesty did express his Displeasure against some Persons, for Matters moved or debated in Parliament, during the Debate and Preparation of that Bill.*

That a declaratory Protestation shall be entered in the House, of the Claim of those Privileges and Liberties ; and that the Lords shall be moved, that the like declaratory Protestation be entered in the Journals of their House.

That a petitionary Remonstrance to his Majesty shall be prepared, declaring

Right of Parliament to these Privileges, and the Particulars wherein they have been broken, with an humble Desire, that the like may not be done hereafter; and that his Majesty will be pleased to discover the Parties, by whose Misinformation and evil Council his Majesty was induced to this Breach of Privilege, that so they may receive condign Punishment for the same; and that it be desired, that his Majesty would take no Notice of any particular Man's Speeches or Carriage, concerning any Matter treated in Parliament.

A declaratory Protestation, and a petitionary Remonstrance to the Effect above-mentioned, were presented to the House and read.

The Lords agreed to the same, and it was to be presented by Committees of both Houses.

1641, 20 *Dec. Resolved*, &c. That in no Case a Protestation ought to be desired by any Member of this House, or admitted by this House being desired.

1641, 3 *Jan. Resolved upon the Question*, That the several Parties now sealing up the Trunks or Doors, or seizing the Papers of Mr. Pim, Mr. Hollis, or any other



other Member of this House, that the Serjeant shall be informed of, shall be forthwith apprehended, and brought hither as Delinquents ; and that the Serjeants shall have Power to break open the Doors, and to break the Seals from off the Trunks.

*Resolved upon the Question, That Mr. Speaker shall sign a Warrant directed to the Serjeant at Arms attending on this House, to the Effect of the Order abovesaid.*

*Resolved upon the Question, That if any Persons whatsoever shall come to the Lodging of any Member of this House, and there do offer to seal the Trunks, Doors, or Papers of any Member of this House, or to seize upon their Persons, that then such Members shall require the Aid of the Constable, to keep such Persons in safe Custody, till this House do give further Order ; and this House doth further declare, that if any Person whatsoever shall offer to arrest or detain the Person of any Member of this House, without first acquainting this House therewith, and receiving further Order from this House, that it is lawful for such Member, or any other*

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Person to assist him, and stand upon his or their Guard of Defence, and to make Resistance according to the Protestation taken to defend the Privilege of Parliament.

Mr. *Francis*, Serjeant at Arms, sending in Notice, that he was commanded to deliver a Message from his Majesty to Mr. Speaker, whereupon he was called in to the Bar without the Mace, and there he delivered this Message :

‘ I am commanded by the King’s Majesty, my Master, upon my Allegiance, that I should come and repair to the House of Commons, where Mr. Speaker is, and there to require of Mr. Speaker five Gentlemen, Members of the House of Commons ; and that these Gentlemen being delivered, I am commanded to arrest them in his Majesty’s Name of High Treason.

‘ Their Names are Mr. *Hollis*, Sir *Arthur Haslerigg*, Mr. *Pim*, Mr. *Hampden*, Mr. *William Strode*.’

Mr. Chancellor of the Exchequer, the Lord *Falkland*, Sir *Philip Stapleton*, and Sir *John Hotbam*, are appointed to attend his Majesty, and to acquaint his Majesty, that this Message from his Majesty, is a  
Matter

Matter of great Consequence ; it concerns the Privilege of Parliament, and therein the Privilege of all the Commons of *England*, that this House will take it into serious Consideration, and will attend his Majesty with all Humility and Duty, with as much Speed as the Greatness of the Business will permit ; and that, in the mean time, this House will take care that those Gentlemen, mentioned in the Message, shall be ready to answer any legal Charge laid against them.

Mr. Speaker did, by Command of the House, enjoin these five Members particularly, one by one, to give their Attendance on this House *de Die in Diem*, till the House take further Order.

*Ordered*, That the Serjeant do acquaint Serjeant *Francis*, who attends without, that this House will send an Answer to his Majesty to the Message he brought, by Members of their own House.

1641, 4 Jan. *Post Meridiem*. His Majesty came into the House, and took Mr. Speaker's Chair.

*Gentlemen,*

‘ I am sorry to have the Occasion to  
 ‘ come unto you ; I sent a Serjeant at  
 ‘ Arms, upon a very important Occa-  
 ‘ sion, to apprehend some by my Com-  
 ‘ mand, who were accused of High  
 ‘ Treason, whereunto I did expect Obe-  
 ‘ dience, and not a Message ; and I  
 ‘ must declare unto you here, that albeit  
 ‘ no King that ever was in *England*  
 ‘ shall be more careful of your Privi-  
 ‘ leges, to maintain them to the utmost  
 ‘ of his Power, than I shall do ; yet  
 ‘ you must know, that, in Cases of  
 ‘ Treason, no Person hath a Privilege ;  
 ‘ and therefore I am come to know, if  
 ‘ any of these Persons that I have accu-  
 ‘ sed are here ; for I must tell you, Gen-  
 ‘ tlemen, that, so long as these Persons  
 ‘ that I have accused (for no slight  
 ‘ Crime, but for Treason) are secreted,  
 ‘ I cannot expect that this House will  
 ‘ be in the right way that I do heartily  
 ‘ wish it : Therefore I am come to  
 ‘ tell you, that I must have them where-  
 ‘ soever I find them.—Well, since I  
 ‘ see that all the Birds are flown, I do  
 ‘ expect from you, that you shall send  
 ‘ them

' them unto me, as soon as they return  
 ' hither ; but I assure you, on the Word  
 ' of a King, I never did intend any  
 ' Force, but shall proceed against them  
 ' in a legal and fair Way, for I never  
 ' meant any other.

' And now, since I see I cannot do  
 ' what I came for, I think this no un-  
 ' fit Opportunity to repeat what I have  
 ' said formerly, that whatsoever I have  
 ' done in Favour, and to the Good of  
 ' my Subjects, I do mean to maintain,  
 ' &c.

' I will trouble you no more, but tell  
 ' you, I do expect, as soon as they come  
 ' to the House, you will send them to  
 ' me ; otherwise I must take my own  
 ' Course to find them.'

When the King was looking about  
 the House, the Speaker standing below  
 by the Chair, his Majesty asked him,  
 Whether any of these Persons were in  
 the House ? Whether he saw any of  
 them ? And where they were ? To  
 which the Speaker, falling on his Knees,  
 thus answered ;

*May*



*May it please your Majesty,*

‘ I have neither Eyes to see, nor  
 ‘ Tongue to speak in this Place, but as  
 ‘ the House is pleased to direct me,  
 ‘ whose Servant I am here ; and I hum-  
 ‘ bly beg your Majesty’s Pardon, that I  
 ‘ cannot give any other Answer than  
 ‘ this to what your Majesty is pleased  
 ‘ to demand of me.’

1641, 5 *Jan.* Whereas his Majesty,  
 in his Royal Person, Yesterday, being  
 the 4th Day of *January*, 1641, did  
 come to the House of Commons, at-  
 tended with a great Multitude of Men,  
 armed in a warlike manner, with Hal-  
 berds, Swords and Pistols, who came  
 up to the very Door of the House, and  
 placed themselves there, and in other  
 Places and Passages near to the House,  
 to the great Terror and Disturbance of  
 the Members thereof, then sitting ; and,  
 according to their Duty, in a peaceable  
 and orderly manner, treating of the  
 great Affairs of both the Kingdoms of  
*England* and *Ireland* ; and his Majesty,  
 having placed himself in the Speaker’s  
 Chair, did demand the Persons of diverse  
 Members

Members of that House to be delivered unto him.

It is this Day declared by the House of Commons, That the same is a high Breach of the Right and Privilege of Parliament, and inconsistent with the Liberties and Freedom thereof.

And therefore this House doth conceive they cannot, with the Safety of their own Persons, or the Indemnity of the Rights and Privilege of Parliament, sit here any longer, without a full Vindication of so high a Breach, and a sufficient Guard, wherein they may confide; for which both Houses jointly, and this House by itself, have been humble Suitors to his Majesty, and cannot yet obtain.

1641, 13 *Jan.* Articles of Impeachment against five Members of this House, depending in the Lords House, was read.

Lord Grey is to go up to the Lords with this Message, to acquaint their Lordships, that this House finds, under the Clerk's Hand of their House, that there are Articles of High Treason exhibited in their House against diverse Members of this House, and to desire  
their

their Lordships to be pleased to inform this House, who did bring in the said Articles.

Lord Grey brings Answer, that Mr. Attorney-General did exhibit those Articles.

Mr. Brown reports from the Committee, appointed to consider of Heads of a Conference, concerning the Articles against the five Members of this House *in hæc Verba* ;

Whereas we understand from your Lordships, that the King's Attorney General, in the House of Peers, hath preferred these Articles of High Treason, and other Misdemeanors, against Mr. *Denzill Holles*, Sir *Arthur Haslerigg*, Mr. *John Pim*, Mr. *John Hampden*, and Mr. *William Strode*, Members of the House of Commons, we declare that this is a high Breach of the Privilege of the House of Commons, for which in due Time we shall desire Justice ; and for the Intent that the Truth may be discovered, and that legal Proceedings may be speedily had, we desire your Lordships to require Mr. Attorney to answer these Questions.

The

The four Questions proposed to be asked him, and his Answers. *Vide* 15 January, 1641.

*Resolved, &c.* That these shall be the Heads of the Conference, and that these Questions shall be then offered to the Lords to be propounded to Mr. Attorney.

*Resolved, &c.* That the Impeachment made by Mr. Attorney in the House of Peers against the five Members of this House, is a high Breach of the Privilege of this House.

1641, 15 Jan. *Ordered*, That some Way be thought of for charging Mr. Attorney by this House as criminous, for exhibiting these Articles in the House of Lords against Members of this House, without any Information or Proof that appears; and that this House, and the Gentlemen charged by him, may have Reparation from him; and that he may put in Security, to stand the Judgment of Parliament.

*Resolved, &c.* That this Act of Mr. Attorney's, in this Impeachment against Members of this House, is illegal, and a high Crime.

*Re-*

*Resolved, &c.* That the Lords shall be desired by a Message, that Mr. Attorney put in good Security to stand to the Judgment of Parliament.

*Resolved, &c.* That the Impeachment made by Mr. Attorney in the House of Peers against the five Members of this House, and the Proceedings thereupon, is a high Breach of the Privilege of Parliament.

1641, 12 Feb. Articles of Impeachment against Mr. Attorney.

1641, 2 Feb. Bill against him ordered.

# ORDERS *about Post-Letters and Franking.*

1689, 14 Aug. *Resolved,*  
**T**HAT the breaking open Letters directed to, or sent from any Member of this House, is a Breach of the Privilege of this House.

1690, 1 Feb. *Ordered,* That no Letter from any Member of this House go frank by the Post, but what shall be signed by the proper Hand of such Member.

1698,



1698, 27 May, *Resolved*, That it is the Opinion of this Committee, that, as a proper Means to prevent the intercepting of Letters belonging to the Members of the House for the future, the Person appointed to bring them from the Post-Office shall constantly attend two Hours at the least at the Place appointed for the Delivery of the said Letters ; and take care, during his Stay there, to deliver the same to the several Members to whom they shall be directed, and to no other.

*Resolved*, That it is the Opinion of this Committee, that the said Officer, upon his going away, shall give such Letters as shall remain undelivered to one of the Servants belonging to the House, who shall take care to deliver the said Letters to the several Members to whom they are directed, or their known Servants, or unto such Person who shall produce a Note under the Hands of the Members, who shall send for the same.

*Resolved*, That it is the Opinion of this Committee, that a more convenient Place should be appointed, from whence  
the

the Letters may be delivered, or that the Place from whence they are at present delivered be enlarged.

The said Resolutions, being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House.

1727, 28 *Mar.* The two first Orders revived, and sent to the Commissioners for executing the Office of Post-Master-General.

1715, 9 *Sept.* A Complaint being made to the House of great Abuses in franking Post Letters, tending to the lessening of his Majesty's Revenues, and to the dispersing of seditious and scandalous Libels.

*Ordered, Nemine Contradicente,* That no Member of this House do presume to frank any Letter, unless the whole Superscription of such Letter be of his own Hand-writing.

A Motion being made, and the Question being put, that no Letter directed to any Member of this House be carried free of the Duty of Postage, unless such Member then actually resides at the Place to which such Letter is directed.

It was resolved in the Affirmative.

*Or-*

*Ordered*, That no Member of this House do presume to frank any publick News Paper to be sent into the Country, but such as are printed.

1728, 22 *May*, *Ordered*, That to prevent the intercepting or losing of Letters directed to the Members of this House, the Person appointed to bring Letters from the General-Post-Office to this House, or some other Person to be appointed by the Commissioners for executing the Office of Post-Master-General, do, for the future, every Day during the Session of Parliament (*Sundays* excepted) constantly attend from ten o'Clock in the Morning till one in the Afternoon ; and also for two Hours, at least, immediately after the rising of the House ; and also on every *Wednesday*, *Friday*, and *Monday*, from five of the Clock in the Afternoon till seven, at the Place appointed for the Delivery of the said Letters ; and take care, during his Stay there, to deliver the same to the several Members to whom they shall be directed, or to their known Servants, or others bringing Notes under the Hands of the Members sending for the same.

*Or-*

*Ordered*, That the said Officer do, upon his going away, lock up such Letters as shall remain undelivered; and that no Letters be delivered, but within the Hours aforesaid.

*Ordered*, That the said Order be sent to the Commissioners for executing the Office of Post-Master-General.

1729, 14 *Jan.* Revived annually.

1735, 16 *Ap.* The House (according to Order) proceeded to take into Consideration the Report from the Committee, to whom the Copy of his Majesty's Warrant, whereby Letters are permitted to pass free from the Duty payable upon Post Letters, was referred.

And the said Report was read, and the Resolutions of the Committee are as follows, *viz.*

*Resolved, First*, That it is the Opinion of this Committee, that the Privilege of franking Letters by the Knights, Citizens, and Burgeesses chosen to represent the Commons in Parliament, began with the erecting a Post-Office within this Kingdom by Act of Parliament.

*Rc-*

*Resolved, Secondly,* That it is the Opinion of this Committee, that all Letters (not exceeding two Ounces) signed by the proper Hand of, or directed to any Member of this House, during the sitting of every Session of Parliament, and forty Days before, and forty Days after every Summons or Prorogation, ought to be carried, and delivered freely and safely, from all Parts of *Great Britain* and *Ireland*, without Charge of Postage.

*Resolved, Thirdly,* That it is the Opinion of this Committee, that it is an high Infringement of the Privilege of the Knights, Citizens, and Burgeſſes, choſen to represent the Commons of *Great Britain* in Parliament, for any Poſt-maſter, his Deputy or Agents, in *Great Britain* or *Ireland*, to detain or delay, open or look into, by any Means whatſoever, any Letter directed to, or ſigned by the proper Hand of any Member, without an expreſs Warrant in writing, under the Hand of one of the principal Secretaries of State for ſuch detaining, delaying, opening, or looking into.

*Re-*



*Resolved, Fourthly,* That it is the Opinion of this Committee, that all Letters directed to any Members of this House, at any Place within the Bills of Mortality, be carried by the proper Officers of the Post-Office to the House or Lodgings of such Member, or to the Lobby of the House of Commons.

*Resolved, Fifthly,* That it is the Opinion of this Committee, that it is a notorious Breach of the Privilege of the House of Commons, for any Person to counterfeit the Hand, or to put the Name of any Member of the House of Commons upon any Letter, in order to prevent its being charged with the Duty on Postage.

*Resolved, Sixthly,* That it is the Opinion of this Committee, that such Person, as shall presume to do the same, ought to be proceeded against with the utmost Severity.

The first and second Resolutions, upon the Question, agreed to by the House.

The Debate of the third adjourned.

1735, 15 *Ap.* The Debate of the third Resolution resumed, and the said Resolution being read a second Time,  
and

and amended, was agreed to by the House as follows, *viz.*

*Resolved*, That it is an high Infringement of the Privilege of the Knights, Citizens, and Burgeſſes, choſen to repreſent the Commons of *Great Britain* in Parliament, for any Poſt-maſter, his Deputy or Agents, in *Great Britain* or *Ireland*, to open or look into, by any Means whatſoever, any Letter directed to, or ſigned by, the proper Hand of any Member, without an expreſs Warrant in writing, under the Hand of one of the principal Secretaries of State, for every ſuch opening or looking into, or to detain or delay any Letter directed to, or ſigned with the Name of any Member, unleſs there ſhall be juſt Reason to expect ſome Counterfeit of it, without an expreſs Warrant of a principal Secretary of State, as aforeſaid, for every ſuch detaining or delaying.

The reſt of the Reſolutions of the ſaid Committee, being ſeverally read a ſecond Time, were, upon the Queſtion ſeverally put thereupon, agreed to by the Houſe.

1742, 16 Jan. Complaint being made to the Houſe, that the Hand-writing of

a Member of this House had been counterfeited upon several Letters, in order to prevent their being charged with the Duty of Postage ;

*Resolved, Nemine Contradicente*, That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions to his Attorney-General, to prosecute at Law such Persons as counterfeit, or otherwise fraudulently make use of the Hand-writing of Members of this House upon Letters, in order to prevent such Letters being charged with the Duty of Postage.

1747, 16 Nov. *Ordered*, That when any Letter, or Packet, directed to this House, shall come to Mr. Speaker, he do open the same, and acquaint the House, at their next Sitting with the Contents thereof, if proper to be communicated to this House. Revived annually.

1694, 7 Mar. *Ordered*, That the Post-master attending this House do not at any Time deliver any Letters to any Members, during the sitting of the House.

1695, 20 Dec. Revived.

1698,

1698, 10 *Feb.* Ordered, That no Post Letters directed to any Members of the House be delivered out, until after the rising of the House.

|                      |   |                            |
|----------------------|---|----------------------------|
| 1700, 18 <i>Feb.</i> | } | Revived.                   |
| 1702, 24 <i>Oct.</i> |   |                            |
| 1702, 9 <i>Nov.</i>  |   |                            |
| 1704, 24 <i>Oct.</i> | } | Declared a standing Order. |
| 1708, 21 <i>Dec.</i> |   |                            |

ORDERS touching the Journals, Minute-Book, &c.

1607, 3 *July.*

SIR *Edwin Sandys* reported from the Committee, to peruse and consider of such Entries as are made by the Clerk in his Journal Book, &c. with the Reasons, &c. That it is thought convenient by the Committee, that this Order should be entered, and upon Question, Resolved to be entered in these Words, viz.

That between this and the next Session of Parliament, the Clerk shall perfect this Journal-Book for these three first Sessions, and that no Matter of Message, or Conference, or Resolution of the House proceeding thereupon, shall

be of Record or in Force, till such Time as the same be perused and perfected by a Committee to be chosen the next Session of Parliament, and approved by the House ; and that from henceforth, the Committee of Privileges do every *Saturday* in the Afternoon peruse and perfect the Book of Entries, in all such Matters as aforesaid, and that in regard of the great Pains, which the Clerk is to take in perfecting the said Journals, some Course to be taken, the next Sessions, for his better Encouragement.

1609, 9 *Feb.* The said Order for the Journal-Book continued.

1666, 4 *Feb.* Ordered, That the Committee appointed to inspect the Journals be revived, and do examine the same every *Saturday*.

1669, 4 *Dec.* Resolved, That a Committee be appointed to peruse the Journals of this House, every *Saturday* in the Afternoon, and if there be any Mistake in Writing to rectify the same, and if they find any Omission or Mistake in the Entry of the Votes and Orders of the House, and to report the same to the House, and that it be referred to, &c.

1675, 4 *May*, The same.

1678,



1678, 11 *Dec.* *Ordered*, That a Committee be appointed to inspect and peruse the Journals of this House, to see that due Entries be made, and make a Report of the Mistakes and Errors therein every *Monday* Morning.

*Ordered*, That the Orders of the House be drawn up every Day, and read the next Morning, before they be entered in the Journals.

1679, 29 *Mar.* *Ordered*, That the Orders and Proceedings of this House, after they are read every Morning, be entered in the Journals of the same Day.

1680, 27 *Oct.* Revived.

*Ordered*, That a Committee be appointed to inspect the Journals every Morning, and see that true Entries be made.

1641, 10 *Dec.* Sir *Arthur Haslerigg* moved the House against the Clerk for suffering his Journals, or Papers committed to his Trust, to be taken by Members of this House from the Table ; for that if any Alteration were made in an Order, though but in a Word, the Clerk could not answer it, and therefore desired it may be ordered for the future,

the Clerk should not suffer the same, it being against the Duty and the Trust he is sworn unto ; but the House declined the making of any Order herein ; declaring, that it was a fundamental Order of this House, that the Clerk who is a sworn Officer, and intrusted with the Entries and the Custody of the Records of the House, ought not to suffer any Journal or Records to be taken from the Table, or out of his Custody ; and if he shall hereafter do it, after this Warning, that at his Peril he shall do it.

1666, 22 Oct. *Resolved, &c.* That no Person be permitted to have Inspection of the Journal-Book, but such as are Members of this House.

1677, 3 Ap. *Ordered*, That no Member of this House do hereafter take off from the Clerk's Table, any Bill or Brief of a Bill, or the Journal-Book, or be permitted to take Notes, or copy thereout, during the sitting of the House, or a Committee of the whole House.

1699, 25 Mar. *Ordered and Declared*, To be a standing Order of the House, that no Member do take a Paper, or the Minute-Book from off the Table, to transcribe

transcribe in the House, under the Displeasure and Censure of the House.

1741, 31 May, *Resolved*, That all the Books of the Proceedings or Journals of the House of Commons, now in the Custody of the Clerk of the said House, and commencing with the Book called *Seymour*, which begins with the Reign of King *Edward VI.* be printed.

*Resolved*, That 1000 Copies of the said Journals be printed for the Use of the Members of this House, by the Appointment, and under the Direction of *Nicholas Hardin*, Esq; Clerk of the House of Commons (the same not to exceed 30 Volumes) with a proper Preface and Index to each Volume, and a General Preface and Index to the Whole.

*Resolved*, That a proper Recompence be made to the said *Nicholas Hardin*, for the Loss of Fees, which he and his Office will sustain by printing the said Journals.

*Resolved*, That an humble Address be presented to his Majesty that he will be graciously pleased to order the Sum of 5000 *l.* to be advanced to *Nicholas Hardin*, Esq; Clerk of this House, towards

wards enabling him to print the Journals of this House; and likewise the further Sum of 1000*l.* as a Recompence to the said *Nicholas Hardin*, for the Loss of Fees, which he and his Office may sustain, by printing the said Journals, and to assure his Majesty, that this House will make good the same.

*Ordered*, That the said Journals be printed by such Person, as shall be licensed by Mr. Speaker, and that no other Person do presume to print the same.

**ORDERS** *against the Printing the Votes and Proceedings of the House.*

1641, 13 July, *Ordered*,

**T**HAT no Member of this House, shall either give a Copy, or publish in Print, any Thing that he shall speak here, without Leave of the House.

1642, 22 Mar. *Resolved*, &c. That whatsoever Person shall print any Act or Passages of this House, under the Name of *Diurnal*, or otherwise, without the particular Licence of this House, shall be reputed a high Contemner and Breaker

Breaker of the Privilege of Parliament,  
and to be punished accordingly.

1695, 11 Feb. *Ordered*, That no  
News-Letter-Writer, do in their Let-  
ters, or other Papers that they disperse,  
presume to intermeddle with the De-  
bates, or any other Proceedings of this  
House.

1697, 18 Jan. }  
1703, 3 Jan. } *Revived*.

1703, 25 Jan. *Resolved*, That no  
News-Writer do presume in their Let-  
ters or other Papers that they disperse  
(as Minutes, or under any Denomina-  
tion) to intermeddle with the Debates,  
or any other Proceedings of the House.

*Resolved*, That no Printer or Pub-  
lisher of any printed News-Papers, do  
presume to insert in any such Papers,  
any Debates or any other Proceedings  
of this House, or any Committee  
thereof.

1728, 26 Feb. *Resolved*, *Nemine Con-  
tradicente*, That it is an Indignity to, and  
a Breach of, the Privilege of this House,  
for any Person to presume to give in  
Writing, or printed News-Papers, any  
Account or Minutes of the Debates, or



other Proceedings of this House, or of any Committee thereof.

*Resolved, Nemine Contradicente,* That upon Discovery of the Authors, Printers, or Publishers of any such written, or printed News-Paper, this House will proceed against the Offenders with the utmost Severity.

1738, 13. *Ap.* A Complaint being made to the House, that the Publishers of several written and printed News Letters and Papers, had taken upon them to give Accounts therein of the Proceedings of this House ;

*Resolved,* That it is an high Indignity to, and a notorious Breach of the Privilege of, this House, for any News-Writer, in Letters or other Papers, as Minutes (or under any other Denomination) or for any Printer or Publisher of any printed News-Paper, of any Denomination, to presume to insert in the said Letters or Papers, or give therein, any Account of the Debates, or other Proceedings of this House, or any Committee thereof, as well during the Recess, as the Sitting of Parliament ; and that this House will proceed with  
the

the utmost Severity against such Offenders.

1753, 10 *Ap.* A Complaint being made to the House, that the Publishers of several News Papers had taken upon them to give Accounts therein of the Proceedings of this House.

*Resolved, Nemine Contradicente,* That it is an high Indignity to, and a Breach of, the Privilege of this House, for any News-Writer, in Letters, or other Papers, as Minutes, or under any Denomination, or for any Printer or Publisher of any printed News-Paper of any Denomination, to presume, under any Pretence whatsoever, to insert in the said Letters or Papers, or to give therein any Account of the Debates, or other Proceedings whatsoever, of this House, or of any Committee thereof, as well during the Recess, as the Sitting of Parliament; and that this House will proceed with the utmost Severity against such Offenders.

1659, 13 *Ap.* *Resolved,* That the Orders and Resolutions of this House, shall not be printed by any Person or Persons whatsoever, without the special Leave of the House.

1660, 25 *June*, *Resolved*, That no Person whatsoever do presume, at his Peril, to print any Votes or Proceedings of this House, without the special Leave and Order of the House.

|                       |            |
|-----------------------|------------|
| 1661, 14 <i>May</i> , | } Revived. |
| 1663, 5 <i>June</i> , |            |
| 1666, 14 <i>May</i> , |            |
| 1689, 8 <i>Nov.</i>   |            |

1678, 29 *Oct.* *Ordered*, That none of the Votes of this House be dispersed, or published in the Coffee-houses.

1688, 21 *Jan.* The Votes on Question not to be printed.

1694, 22 *Dec.* Moved that it may be a standing Order of this House, that no more Votes of this House may be printed.

*Ordered*, That the Order of the 26th of *October* last, for printing the Votes be discharged.

The House finding the great Inconveniencies that have attended the printing of the Votes;

*Resolved*, That it be a standing Order of the House, that no Votes of the House shall be printed, without the particular Order of the House.

*Re-*

*Resolved*, That the Votes and Proceedings of the House be not published by the Clerks, or any other Person whatsoever.

1702, 25 Feb. Revived.

1689, 25 Oct. *Ordered*, That all the Votes of the House be printed, and that Mr. Speaker do peruse the Votes of the House, and order the printing of them.

1722, 23 Nov. On Question the Votes ordered again to be printed.

1747, 16 Nov. *Ordered*, That the Votes of this House be printed, being first perused by Mr. Speaker ; and that he do appoint the printing thereof ; and that no Person but such as he shall appoint, do presume to print the same. Revived annually.

ORDERS of the House pleadable on Appeals and Writs of Error.

1689, 10 June.

**A** Debate arising in the House, whether the Orders and Proceeding of this House, being pleaded to the Jurisdiction of the Court of *King's-Bench*, the same ought to be over-ruled.

Re-

*Resolved*, That the Orders and Proceedings of this House, pleaded to the Jurisdiction of the Court of *King's-Bench*, ought not to be over-ruled.

1668, 9 *May*, The House then resumed the Consideration of the Question before proposed, which being again debated.

*Resolved*, &c. That whosoever shall be aiding or assisting in putting the Order or Sentence of the House of Lords, in the Case of *Thomas Skinner* against the *East-India* Company, in Execution, shall be deemed a Betrayer of the Rights and Liberties of the Commons of *England*, and an Infringer of the Privilege of this House.

*Resolved*, &c. That the Votes of the Lords, delivered at the late Conference, be kept in the Hands of the Clerk of this House, but not entered in the Journal.

1675, 15 *May*, *Resolved*, &c. That whosoever shall appear at the Bar of the Lords House, to prosecute any Suit against any Member of this House, shall be deemed a Breaker and Infringer of the Rights and Privileges of this House.



1675, 18 *May*. Sir *Richard Temple* reports from the Lords, that he had attended their Lordships, according to the Commands of this House, with the Message in the Case of Mr. *Onslow*, to which the Lords returned an Answer, which being in Writing, he delivered in at the Clerk's Table and read, and is as follow, *viz.*

The Lords do declare, that it is the undoubted Right of the Lords in Judicature to receive and determine in Time of Parliament, Appeals from inferior Courts, although a Member of either House be concerned, that there may be no Failure of Justice in the Land; and from this Right and the Exercise thereof their Lordships will not depart.

And the Matter of the Lords Answer being debated,

*Resolved, &c.* That it is the undoubted Right of this House, that none of their Members be summoned to attend, or be proceeded against in the House of Lords, during the Sitting or Privilege of Parliament, 18th and 19th of *May*, 1675.

1675, 7 *June*, A Copy of an Order of the Lords Spiritual and Temporal in Parliament assembled, dated the 31st of  
*May*

*May* last, and served on Sir *John Fagg* on *Friday* last, was tendered and read, whereby the Lords have ordered to hear Council at the Bar, in the Cause upon the Appeal, there brought by *Thomas Shirley*, Esq; against Sir *John Fagg*, and the Answer thereunto, on *Tuesday* the 8th of this Instant *June*, at ten o'Clock in the Forenoon, and a Debate arising thereupon ;

*Resolved, Nemine Contradicente*, That as to the Case of Appeals brought against Sir *John Fagg* in the House of Lords, Sir *John Fagg* shall have the Protection and Assistance of this House.

*Resolved, Nemine Contradicente*, That if any Person or Persons shall be aiding or assisting, in putting in Execution any Sentence, or Judgment that shall be given by the House of Lords, upon the Appeal brought by Dr. *Shirley* against Sir *John Fagg*, a Member of this House ; such Person and Persons shall be adjudged, and taken to be Betrayers of the Rights and Liberties of the Commons of *England*, and the Privilege of this House, and shall be proceeded against accordingly.

Or-

*Ordered*, That these Votes be made public, by setting them up in *Westminster-Hall*, and in the Lobby of this House ; and that the Clerk of the House do take care to see it done.

1675, 7 *June*, *Resolved, Nemine Contradicente*, That no Person committed for Breach of Privilege, by Order of this House, ought to be discharged during the Sessions of Parliament, but by Order or Warrant of this House.

*Resolved, Nemine Contradicente*, That the Lieutenant of the *Tower*, in receiving and detaining in Custody Sir *John Churchill*, Mr. Serjeant *Pemberton*, Mr. Serjeant *Peck*, and Mr. *Charles Porter*, hath performed his Duty according to Law, and for his so doing he shall have the Assistance and Protection of this House.

*Resolved, Nemine Contradicente*, That the Lieutenant of the *Tower*, in case he hath received, or shall receive any Writ, Warrant, Order, or Commandment, to remove or deliver any Person or Persons, committed for Breach of Privilege, by any Order or Warrant of this House, shall not make any Return thereof, or yield any Obedience thereto  
before

before he hath first acquainted this House, and received their Order and Direction how to proceed therein.

*Ordered*, That these Resolves be immediately sent to the Lieutenant of the Tower.

1675, 9 June, *Resolved, Nemine Contradicente*, That no Commoner of *England*, committed by Order or Warrant of the House of Commons for Breach of Privilege, or Contempt of that House, ought, without Order of that House, to be by any Writ of *Habeas Corpus*, or other Authority whatsoever, made to appear and answer, and to do and receive a Determination in the House of Peers during that Session of Parliament, wherein such Person was so committed.

*Resolved, Nemine Contradicente*, That the Order of the House of Peers, for the issuing out Writs of *Habeas Corpus*, concerning Mr. Serjeant *Peck*, Mr. Serjeant *Pemberton*, Sir *John Churchill*, and Mr. *Charles Porter*, is insufficient and illegal; for that it is general and exprefs, no particular Cause of Privilege and Commands, the King's Great Seal to be put

put to Writs not returnable, before the said House of Peers.

*Resolved, Nemine Contradicente,* That the Lord-Keeper be acquainted with these Resolutions, to the End the said Writs of *Habeas Corpus* may be superseded, as contrary to Law and the Privilege of this House.

1675, 19 Nov. Whereas this House hath been informed of several Appeals depending in the House of Lords, from Courts of Equity, to the great Violation of the Rights and Liberties of the Commons of *England*. It is this Day,

*Resolved and Declared,* That whosoever shall solicit, plead or prosecute any Appeal against a Commoner of *England*, from any Court of Equity before the House of Lords, shall be deemed and taken as a Betrayer of the Rights and Liberties of the Commons of *England*, and shall be proceeded against accordingly.

*Resolved,* That Copies of this Resolution and Declaration be forthwith publicly affixed upon the Door of the Lobby of this House, and *Westminster-Hall* Gates, and upon the Gates of the two Serjeants-Inns, and the Four Inns of Court,



Court, and the several Inns of *Chancery* to the end all Persons concerned may take Notice thereof, and that the Serjeant at Arms, now attending this House, do cause the same to be so affixed accordingly.

1704, 27 Nov. *Resolved*, That this House will not give Leave to any of their Members to plead at the Bar of the Lords House in Cases of Appeals from Courts of Equity.

ORDERS touching *Witnesses*.

1640, 11 Nov.

**I**T was declared as a constant Rule of this House, that if a Witness be brought to this House, the House sitting, the Bar ought to be down; otherwise, if the House be in a Committee.

1695, 2 May, *Resolved*, That the House doth agree with the Committee in the said Resolution, that the proper Method to compel Witnesses to come in, and give their Evidence upon Impeachments, is in the first Place to issue out Summons from this House to such Witnesses for their Attendance.

1699, 29 Jan. A Complaint being made to the House, that the Messengers belonging

belonging to the Serjeant at Arms attending this House had demanded Monies of several Persons summoned by them to attend Committees.

*Declared*, That no Person summoned to attend the House or Committees, as Witnesses, ought to pay any thing for their being so summoned.

1643, 10 *May*, Complaint being made to the House of the Proceedings of the House, of Representatives of the Province of *Massachusetts*'s Bay, against *Jeremiah Dunbar* Esq; and the Censure passed upon him by the said Representatives in the Months of *December* and *January* last, for giving Evidence in the Session of Parliament preceding the last, before a Committee of this House, to whom a Bill then depending in this House, for the better securing and encouraging the Trade to his Majesty's Sugar Colonies in *America*, was committed; and a Paper printed at *Boston* in *New England*, intituled, Votes of the House of Representatives being offered to the House.

The said Paper was brought up to the Table, and several Paragraphs therein were read, in which the afore-mentioned

tioned Proceedings against the said *Jeremiah Dunbar*, and the Censure passed upon him, are contained.

*Resolved, Nemine Contradicente*, That the presuming to call any Person to Account, or to pass a Censure upon him for Evidence given by such Person before this House, or any Committee thereof, is an audacious Proceeding, and an high Violation of the Privilege of this House.

*Ordered*, That a Committee be appointed to enquire who were the Authors and Abettors of the Proceedings against *Jeremiah Dunbar*, Esq; in the House of Representatives of the *Massachusetts's Bay*, in the Months of *December* and *January* last past at *Boston* in *New England*, on Account of the Evidence given by the said *Jeremiah Dunbar*, before a Committee of this House in the Year 1730.

ORDERS

ORDERS and Resolutions touching  
Trials on Impeachments.

1640, 16 Mar.

**M**R. *Whitelock* reported from the Committee appointed to manage the Tryal of the Earl of *Strafford*, that whereas the House of Commons have formerly declared to their Lordships, that the Earl of *Strafford* being impeached by them, do conceive it doth belong to them to resolve in what manner they will be present at this Trial; and that of Right they may come as a House, if they please; but for some special Reasons upon this Occasion, they are resolved to send their own Members, as a Committee of the whole House, authorized by the House to be present at the Trial to hear, and some particular Persons of themselves to manage the Evidence.

The House of Commons doth still continue their Resolutions in every Part thereof, and therein, and in the Matter of allowing Council, and their Lordships Reservation to their Judgments, what is Matter of Fact, and what not;  
the

the House of Commons do save to themselves, as they have formerly done, all Rights that do pertain to them, according to the Laws and the Course of Parliament ; and to declare, that the Proceedings in this Case shall not be drawn into Precedent to the Prejudice of the Commons.

*Ordered*, That this Protestation be by way of Conference transferred to the Lords.

Upon Sir *John Culpepper's* Report from the Committee that was appointed to view the Place, and to regulate the Order, and the Manner of the Committee of the House coming and being there, it was

*Ordered, First*, That the Members of the Commons shall sit together, without intermixing of any others in that Place which is prepared for them.

*Secondly*, That in respect of the Inconveniency of it, the Members shall not come to meet at the House on *Monday* Morning, but come directly to the Place of Trial.

*Thirdly*, That for the well ordering of the Business, the same Committee, with the Addition of Mr. *Perd*, shall be present



present at the several Doors, at the Entrance of the Place appointed for the Members of the House, by six of the Clock ; and are directed and required by the House to admit none but such as shall bring Tickets of their Names, and the Places for which they serve ; and that none of the Members of the House shall be admitted to come in, before those that are appointed to attend at the Doors shall come in ; and that if any other Stranger, or Member of the House, shall offend this Order, those who are appointed to attend this Service shall report it to the House ; and it is further ordered, That all the House shall be there by eight o'Clock at the farthest, and that such Places shall be reserved for them that attend this Service, as they shall find to be most proper and convenient for them.

*Ordered,* That the Serjeant at Arms shall attend within the Court, and his Men without, to be employed in such Service as they who manage the Evidence shall appoint.

*He farther Reported,* That the Speaker might be present in some private Place, and as a particular Member of this

K

House ;

House ; but the Committee doth not think fit, that the House should declare any Order in it, touching the Members of this House being covered at the Trial, the Committee thinks it not fit for them to deliver any Opinion ; only they offer the Difference that may be, when both Houses meet, or Committees of both Houses, and the present Case, where the Lords are to meet as a House, and the Commons as a Committee of their House.

*Ordered*, That those Members of the House, that are appointed to manage the Evidence, at the Trial of the Earl of *Strafford*, shall have Power, if they have been sworn at the Bar, to forbear to proceed any farther in the managing of their Evidence, until they have resorted unto the House, and have received farther Orders from, &c.

1640, 24 *Mar.* *Ordered*, That no Member of this House shall stand in the Place appointed for the Earl of *Strafford's* Witnesses at the Time of the Trial, unless it be such as by the said Earl are required to be there, as Witnesses.

Or-

*Ordered*, That no Member of this House confer with the Earl of *Strafford* during the Time of his Trial.

1641, 16 Feb. Mr. *Whisther*, a Member of this House, of his own Accord, did publicly confess he had committed an Error, (being a Member of this House) in being Bail for the Bishop of *Oxon*, who was accused by this House of High Treason, and that he was heartily sorry for it, which, upon his voluntary Acknowledgement thereof, the House rested satisfied, and pardoned his Offence.

*Resolved*, &c. That no Person or Persons whatsoever, whom this House shall accuse of High Treason, and be thereupon committed, ought to be bailed, without the Consent of this House.

1641, 8 Mar. *Resolved*, That the Committee of this House, employed to manage the Evidence at the Trial of Mr. Attorney, in the Lords House, shall not continue there, to hear any Council plead to the Matter of Fact, or to the Privilege of Parliament.

1642, 11 May, *Ordered*, That this Case of *St. Gregory's*, in respect it is no Impeachment, but a Declaration of the

Injuries done to the Parishioners, and of their private Interest, that no Members of this House shall attend the Management of it before the Lords.

1643, 10 Jan. *Resolved, &c.* That this House doth declare, that the Lords demanding of any particular Members, and nominating the said Members to consider with about any Matters, as they did by the Message of the eighth of January, 1643, in the Business touching the Queen's Impeachment, is a Breach of the Privilege of this House, and therefore cannot be yielded unto, or granted by this House.

1667, 5 Dec. *Resolved, &c.* That when any Subject shall be impeached of High Treason generally, by the House of Commons, before the Lords in Parliament, and desired to be forthwith secured, such Person impeached ought, for the Safety of the King and Kingdom, to be accordingly secured.

*Resolved, &c.* That when such impeached Person shall be secured, the Lords may limit a convenient Time to bring his particular Charge before them, for the avoiding Delays in Justice.



1680, 29 Nov. *Ordered*, That the Members of this House do sit together, without mingling with other Persons, in that Place which is prepared for them, at the Trial of the Lord *Stafford*; and that Mr. *Howard*, Captain of the Yeomen of the Guard, is desired to take Care herein.

1680, 2 Dec. *Ordered*, That nothing that hath been, or shall be said, by any Member of this House, or by any Person that shall be produced as a Witness in Behalf of the Commons of *England*, in the Trial of *William Viscount Stafford*, be printed or published without the Leave of this House.

1680, 6 Dec. *Ordered*, That no Member of this House do go into the Court in *Westminster-Hall* to-morrow Morning, before this House shall have demanded Judgment at the Bar of the House of Lords, upon the Impeachment of the Commons of *England*, against *William Viscount Stafford*, and that Mr. *Howard* have Notice hereof.

1689, 4 June, *Resolved*, That it is the Opinion of this House, that a Pardon is not pleadable in Bar of an Impeachment in Parliament.



1698, 2 July, Ordered, That the Officers and Door-keepers of this House do attend in *Westminster-Hall* upon Monday Morning next, at the Place appointed for the Committees of this House, to be present at the Trial of *Peter Longueville*, upon the Impeachment against him, and do take care that none but Members be admitted into that Place.

1701, 17 June, Ordered, That no Member of this House do presume to go into the Place appointed by the Lords for the Trial of the Lord *Somers*, without the Leave of this House.

1701, 20 June, Resolved, That the Lords have refused Justice to the Commons, upon the Impeachment against the Lord *Somers*, by denying them a Committee of both Houses, which was desired by the Commons, as the proper and only Method of settling the necessary Preliminaries, in order to the proceeding to the Trial of the said Lord *Somers* with Effect; and afterwards, by proceeding to a pretended Trial of the said Lord, which could tend only to protect him from Justice, by Colour of an illegal Acquittal; against which Proceedings of the Lords. the Commons do solemnly

lemnly protest, as being repugnant to the Rules of Justice, and therefore null and void.

*Resolved*, That the House of Lords, by the pretended Trial of *John Lord Somers*, have endeavoured to overturn the Right of Impeachment, lodged in the House of Commons by the antient Constitution of this Kingdom, for the Safety and Protection of the Commons against the Power of great Men; and have made an Invasion upon the Liberties of the Subject, by laying a Foundation of Impunity for the greatest Offenders.

A Motion being made, and the Question being put, that the ill Consequences which may at this Time attend the Delay of the Supplies given by the Commons for the preserving the public Peace, and maintaining the Balance of *Europe*, by supporting our Allies against the Power of *France*, are to be imputed to those, who, to procure an Indemnity for their own enormous Crimes, have used their utmost Endeavours to make a Breach between the two Houses.

It was resolved in the Affirmative.

*Ordered*, That no Member of this House do presume to appear on *Monday* next, at the pretended Trial of the Earl of *Orford*, upon Pain of incurring the utmost Displeasure of this House.

1702, 2 Nov. *Resolved*, That Right hath not been done the Commons, upon the Impeachments before the Lords brought against diverse Peers in the thirteenth Year of his late Majesty's Reign.

1709, 14 Feb. *Ordered*, That nothing that shall be said by any Member of this House, or by any Person that shall be produced as a Witness in Behalf of the Commons of *Great Britain*, in the Trial of Dr. *Henry Sacheverell*, be printed or published, without the Leave of this House.

*Ordered*, That no Persons, but Members of this House, do presume to sit in the Places prepared for the said Members in *Westminster-Hall*, at the Trial of Dr. *Sacheverell*.

*Ordered*, That the Passage for the Members of the House, to and from their Places in *Westminster-Hall*, be kept clear, for their more convenient Passage; and that the Serjeant and Officers attending this House do take care accordingly.

1709,

*Ordered*, That no Member do presume to go out of the House, till the County for and in which he serves be called.

1709, 25 *Feb.* *Ordered*, That the Door of the Place appointed for the Members of this House, at the Trial of the said Dr. *Henry Sacheverell*, be not opened till Mr. Speaker comes to the same.

*Ordered*, That the Managers of the Impeachment against Dr. *Henry Sacheverell*, do first go out of the House to the Places appointed for them in *Westminster-Hall*, before the other Members do go out of the House.

*Ordered*, That after Mr. Speaker shall leave the Chair, according to the Resolution of the House, to be at the Trial of Dr. *Henry Sacheverell*, as a Committee of the whole House, the Members be called over by the Clerk by their Counties, as usual, for the more regular Proceeding.

*Ordered*, That the Constables of *Westminster* give their Attendance for keeping the Passage to and from *Westminster-Hall* clear, that the Members of this House may not be incommoded.



1715, 9 Feb. }  
 —, 15 Mar. } Revived.  
 1717, 24 June. }

*Members of the Long-Robe, not to plead at the Lords Bar, in any Cause without Leave. Members not to attend the Lords on Summons without Leave.*

1666, 6 Nov. *Ordered,*

**T**HAT such Members of this House, as are of the Long-Robe, shall not be of Council on either Side, in any Bill, depending in the Lords House, before such Bill shall come down from the Lords House to this House.

1669, 10 Nov. *Resolved,* That no Member of this House, of the Long-Robe, do, during this Session of Parliament, plead as Council before the House of Lords, in any Cause, without Leave asked and granted by this House, after ten o'Clock.

1693, 7 Dec. *Ordered,* That no Member of this House do presume to plead at the Bar of the House of Lords, without Leave first obtained from this House,  
 and



and to be moved for between the Hours of eleven and one o'Clock.

1695, 10 Dec. Revived.

1675, 3 June, Ordered, That no Member of this House do attend the Lords House upon any Summons from the Lords, without Leave of the House.

1695, 11 Ap. A Message from the Lords, that Sir Robert Clayton, and Mr. Maurice, may have Leave to declare their Knowledge, in relation to a Grant of Lands from the City of London. Leave given, and

Ordered, That Sir Robert Clayton, and Mr. Maurice, do insist to be examined at a Committee of Lords, and not at the Bar.

1704, 27 Nov. Resolved, That when Leave is asked for any Member of this House to attend at the Bar of the House of Lords, the Cause and Parties be expressed ; and whether upon a Writ of Error, or an Appeal.

Resolved, That this House will not give Leave to any of their Members to plead at the Bar of the Lords House, in Cases of Appeals from Courts of Equity.

*Disqualifications for, and in Members,  
and Dispensations and Injunctions to  
Members.*

1553, 13 Oct.

**I**T is ordered by the Committee, that *Alexander Nowell*, being a Prebendary in *Westminster*, and thereby having Voice in the Convocation-house, may not be a Member, and so agreed by the House.

1620, 8 Feb. *Resolved upon the Question*, That the Order the last Meeting in Parliament, concerning the not serving of the Attorney-General in this House, shall stand a new Writ.

Also a new Writ for *Morpeth*, in the Room of a Minister returned.

1640, 9 Nov. *Ordered upon the Question*, That all Projectors and unlawful Monopolists whatsoever, or that have any Share, or lately had any Share in any Monopolies, or that do receive any Benefit from any Monopoly or Project, or that have procured any Warrant or Command for the Restraint, or molesting of any that have refused to conform themselves to any such Proclamations

OR

or Project, are disabled, by Order of this House, to sit here in this House ; and if any Man knows any Monopolist, that he shall nominate him.

1659, 8 Oct. *Resolved*, That no Person propounded, as to any Office of Profit or Trust shall be passed the same Day that he is propounded ; and that Mr. Speaker put the House in mind thereof.

*Resolved*, That such Persons as shall present any Person to his House, for any Place of Profit or Trust, shall give in his Name under his Hand, and leave it with the Clerk of this House, and that they believe him to be a Person within the Qualification of the 9th of May, 1659.

1680, 30 Dec. *Resolved*, *Nemine Contradicente*, That no Member of this House shall accept of any Office or Place of Profit from the Crown, without the Leave of this House, or any Promise of any such Office or Place of Profit during such Time as he shall continue a Member of this House.

*Resolved*, &c. That all Offenders herein shall be expelled the House.

1707, 10 Nov. This House being moved, that several Clauses in the Act of the fifth and sixth Years of her Majesty's Reign, intitled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession of the Crown of England in the Protestant Line, relating to the disabling several Officers to sit in Parliament*, might be read, and the same was read accordingly.

*Resolved*, That every Person, who, by an Act of the first Session of the last Parliament, intitled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession of the Crown of England in the Protestant Line*, is disabled, from and after the Dissolution, or Determination of the said Parliament, to sit or vote as a Member of the House of Commons in any Parliament to be hereafter holden, is, by Virtue of the said Act incapable of sitting or voting as a Member of the House of Commons in this present Parliament.

1708, 7 Dec. *Resolved*, &c. That *Anthony Hammond, Esq;* being a Commissioner of the Navy, and employed in the Out-Ports,



Ports, is thereby incapable of being elected as a Member of this House.

1643, 4 Nov. Committee ordered to take Account of all public Monies issued ; no Member, or other Officer liable to account, to be of the Committee.

1694, 21 Mar. *Resolved*, That the Speaker of this House is capable of being chosen a Commissioner for taking and stating the public Accounts.

*Resolved*, That no Person be a Commissioner, who hath any Office of Profit, or is accountable to his Majesty.

1695, 1 Feb. The same.

1699, 19 Ap. Commissioners to be seven for taking an Account of the forfeited Estates in Ireland.

*Ordered*, That no Member of this House be a Commissioner.

1720, 13 May. A Bill for appointing Commissioners for stating the Accounts of the Army.

*Resolved*, That no Person be a Commissioner, who hath any Office of Profit, or is accountable to his Majesty.

*Resolved*, That the said Commissioners may be Members of this House.



*Resolved*, That no Person who hath been, or is an Agent, be a Commissioner in the said Bill.

**ORDERS** *against Members holding S. S. Stock, or taking Money for transacting Business, or accepting of Entertainments.*

1645, 1 Dec.

**D**Eclaration of the House about taking Money for transacting Business in the House.

1692, 4 Jan. *Resolved*, That no Member of this House do presume to accept of any Entertainment at any public House, for the carrying of any Matter under the Consideration of the House, upon Pain of incurring the Censure of the House.

1694, 18 Mar. *Resolved*, That whoever shall discover any Money, or other Gratuity, given to any Member of this House, for Matters transacted in this House, relating to the Orphans Bill, or the *East-India* Company, shall have the Indemnity of the House for the Discovery of such Gift.

1695,

1695, 2 May, *Resolved*, That the Offer of any Money, or other Advantage to any Member of Parliament for promoting of any Matter whatsoever depending, or to be transacted in Parliament, is a high Crime and Misdemeanor, and tends to the Subversion of the *English* Constitution.

1720, 12 Jan. Mr. *Broderick* moved from the Committee to enquire into the Proceedings of the *South-Sea* Directors; that such Persons as the Committee shall think proper to be examined, may be examined in the most solemn Manner.

1720, 19 Jan. *Ordered*, That the Committee be empowered to examine Sir *Robert Chaplin*, Sir *Theodore Janssen*, *Francis Eyles*, and *Jacob Sawbridge*, Esqrs; Members of this House, and Directors of the *South-Sea* Company in the most solemn Manner.

1720, 18 Feb. *Resolved*, *Nemine Contradicente*, That the taking in, or holding of Stock by the *South-Sea* Company, for the Benefit of any Member of either House of Parliament, or Person concerned in the Administration (during the Time that the Company's Proposals, or the Bill thereto relating, were depend-  
in

ing in Parliament) without any valuable Consideration paid, or sufficient Security given, for the Acceptance of, or Payment for such Stock; and the Company's paying or allowing such Person the Difference arising by the advanced Price of the Stock, were corrupt, infamous and dangerous Practices, highly reflecting on the Honour and Justice of Parliaments, and destructive to the Interest of his Majesty's Government.

*Members not to keep Popish Recusant Servants.*

1623, 25 Feb. Ordered,

**T**HAT if any Member of this House have any Servant that is a Popish Recusant, or refuseth to go to Church and hear divine Service, he shall presently discharge him; this to be under the Penalty of Sequestration from the House.

*Resolved*, That no Member of this House be allowed to keep a Recusant Servant, but upon public Notice, and special Allowance of the House.

O R-

**ORDERS** for Members to receive the Communion, and testify their taking the Oaths.

1620, 9 Feb. Ordered, **T**HAT every Member of this House shall testify in Writing, that he hath duly taken the Oaths ; and, if any Exception be against it, then he to take them again.

1627, 21 Jan. Ordered, That all the Members of the House newly returned, or to be returned this Session, shall receive the Communion before some of the Parties appointed last Session ; those which are already returned, and have sate in the House, to receive it on Monday next ; and those which are, or shall be returned, and have not sate in the House, not to come into the House till they have received the Communion.

1640, 25 Ap. The same.

1640, 9 Nov. Resolved upon the Question, That the next Lord's Day, called Sunday, after the first, shall be appointed for receiving the Communion by all the Members of this House at St. Margaret's Westminster.

1640,



1640, 26 Nov. The same Order.

1660, 2 June, *Resolved*, That no Member of this House do, after this Day, sit in the House, before he hath taken the Oaths of Allegiance and Supremacy.

1661, 13 May, *Resolved upon the Question*, That the Sacrament of the Lord's Supper shall, upon *Sunday* next come seven-night, being the 26th of this Instant *May*, in the Forenoon, be administered at St. *Margaret's* Church in *Westminster*, according to the Form prescribed in the Liturgy of the Church of *England*; and that all the Members of this House shall then and there receive the said Sacrament, and that whosoever shall not then and there receive the said Sacrament, shall not after that Day come into the House, until he shall have received the said Sacrament, in the Presence of two or more of the Parties hereafter appointed to that Purpose, and the same to be certified, and the Certificate thereof allowed by the House.

And for the better Discovery who shall then receive the said Sacrament, and who not, it is further ordered, That Sir *Anthony Cope*, Sir *John Bramston*, Sir *Philip Warwick*, Sir *John Goodrick*,  
Sir



Sir *Allen Broderick*, and Sir *George Reeve*, shall take especial Notice of all such as shall then and there receive the said Sacrament ; and that every Member of this House shall then bring with him a Note in Writing, containing his Name, and the Shire whereof he is a Knight, and the City whereof he is a Citizen, and the Borough whereof he is a Burgess, and the Port whereof he is a Baron, which Note he shall in the same Church, when the same shall be demanded of him, deliver to the said Parties before particularly mentioned, some or one of them ; and the said Persons, so appointed, are likewise to take particular Notice of every Member of this House, at such Time as he receive the said Sacrament.

1666, 9 Nov. The same Order.

*Members not to visit Foreign Ministers.*

1643, 1 Feb. Resolved, &c.

**T**HAT this House doth declare, that it is a constant and antient Rule and Order of this House, that no Member of this House ought to receive, or give any Visit to any foreign Agent

Agent or Ambassador, or any other Person that vows himself to be a publick Agent or Ambassador, without the Leave and Consent of the House.

*Members not to be removed for Age, Sickness, or Absence beyond Sea.*

1558, 11 Nov.

**W**Hereas Suit is made, that some Burgeses, being sick, might be removed, and Writs for others in their Places, this House doth resolve, that they shall not be removed, notwithstanding their Sickness.

1641, 18 Aug. A Motion was made concerning the sending of a new Writ for the electing of a Burgess to serve instead of Mr. Crowcker, who is very infirm, by reason of great Age, but it would not be granted by the House.

**ORDERS touching Elections and Returns.**

1623, 23 Feb.

**A**Greed a general Warrant to Mr. Speaker, to make Warrants for new Writs, in case of Death or double Returns.

1626,

1626, 20 *Mar. Ordered*, Warrants to issue under Mr. Speaker's Hand to the Clerk of the Crown, for Writs for new Elections in the room of the several Places waved, as aforesaid ; and a general Warrant to Mr. Speaker, without further Motion, to make Warrants to the Clerk of the Crown, for new Writs upon Elections of any other doubly returned, or upon any Place to grow void by Death during this Parliament.

1626, 20 *Jan.* A general Warrant to Mr. Speaker upon Deaths, to make Warrants for new Elections, without Motion, as in other Cases upon Elections.

1661, 22 *Nov. Resolved*, That for the future, when any Writ shall be delivered for a new Election of any Member to serve in Parliament, the Party that doth receive the Writ shall deliver, or cause the same to be forthwith sent and delivered, to the proper Officer of the Place, for the Election to be made.

1675, 13 *Ap. Ordered*, That Mr. Speaker do give Order to the Clerk of the Crown, to take care that the Writs  
for

for Elections of new Members be delivered to the Sheriff, or proper Officer.

1678, 21 *Oct.* *Ordered*, That Mr. Speaker be desired to give Notice to the Clerk of the Crown, to take care, that the Writs for the new Elections be delivered to the Hands of the Sheriffs of the respective Counties, and that the House do expect an Account hereof.

1688, 23 *Jan.* *Resolved*, That where any Vacancies have already happened, or shall hereafter happen by Death, or Removal of any Member or double Return, Mr. Speaker do for the future (upon Motion to this House) by his Letter making Application to his Highness the Prince of *Orange*, desiring him to issue out his Letter, directed to the respective Coroner, or Coroners, or chief Magistrate (as formerly) for supplying such Vacancies, by electing other Members therein.

1733, 11 *May*, *Resolved*, That the Right of Election of a Preses and Clerk is in such Persons as stand upon the Roll last made up by the Freeholders at the *Michaelmas* Head Court, or at the last Election of a Member to serve in Parliament.

1662,



1662, 30 *Ap. Resolved*, That this House doth agree with the said Committee, that Notice of all Elections of Members to serve for Shire-Towns in *Wales*, ought to be given to the Out-Corporations and Boroughs in such Shire.

1694, 7 *Dec.* A Complaint being made to the House, that the Writ for electing of a Knight to serve in this present Parliament for the County of *Cardigan*, was not delivered to the Sheriffs;

*Resolved*, That all Writs for the electing of Members to serve in Parliament, be immediately sent to the proper Officer for Execution thereof, with all convenient Speed.

1645, 17 *Nov. Resolved*, &c. That this House doth declare and order, that all Elections of any Knight, Citizen, or Burgeſſs to serve in Parliament, be made without Interruption or Moleſtation, by any Commander, Governor, Officer, or Soldier, that hath not in the Country, City, or Borough reſpectively Right of electing; and that this Order be ſent to *Reading* at the next Election, and it is further ordered, that this Order be printed.



1741, 22 Dec. *Resolved*, That it appears to this House, that a Body of armed Soldiers, headed by Officers, did, on *Friday* the 8th Day of *May* last, come in a military manner, and take Possession of the Church-yard of *St. Paul's, Covent-Garden*, near the Place where the Poll (for the Election of Citizens to serve in this present Parliament for the City of *Westminster*) was taken, before the said Election was ended.

*Resolved*, That the Presence of a regular Body of armed Soldiers, at an Election of Members to serve in Parliament, is an high Infringement of the Liberties of the Subject, and manifest Violation of the Freedom of Elections, and an open Defiance of the Laws and Constitution of this Kingdom.

1677, 2 Ap. *Resolved*, &c. That if any Person hereafter to be elected into a Place, for to sit and serve in the House of Commons for any County, City, Town, Port, or Borough, after the Test, or the issuing out of the Writ or Writs of Election, upon the calling or summoning of any Parliaments hereafter; or after any such Place becomes vacant hereafter, in the Time of Parliament,

liament, shall by himself, or by any other on his Behalf, at his Charge, or at any Person or Persons, having Voice in any such Election, any Meat, Drink, exceeding in the true Value 10*d.* in the whole, in any Place or Places, but in his own Dwelling-house or Habitation, being the usual Place of his Abode for five Months last past, or before such Election be made or declared, make any other Present, Gift, or Reward, or any Promise, Obligation, or Engagement to do the same, either to any such Person or Persons in particular, or to any such County, City, Town, Port, or Borough in general, or to and for the Use and Benefit of them, or any of them, every such Entertainment, Present, Gift or Promise, Obligation or Engagement, is by this House declared to be Bribery; and such Entertainment, Present, Gift, Reward, Promise, Obligation or Engagement being duly proved, is, and shall be a sufficient Ground, Cause, and Matter, to make every such Election void, as to the Person so offending, and to render the Person so elected incapable to sit in Parliament by such Election; and hereof the Committee of Elections and Privileges is appointed to take especial No-

tice and Care, to act and determine Matters coming before them accordingly.

*Resolved, &c.* That the said Order against excessive drinking at Elections, be a further Instruction to the Committee of Elections, and that it be from Time to Time entered amongst the constant and standing Powers and Instructions given by the House of Commons to the said Committee.

1678, 23 May, } Continued a  
—, 21 Oct. } standing Order.

1700, 13 Feb. *Resolved, Nemine Contradicente*, That in case it shall appear any Person hath procured himself to be elected or returned as a Member of this House, or endeavoured so to be by Bribery, or any other corrupt Practices, this House will proceed with the utmost Severity against such Person.

Revived every Session since.

1641, 10 Dec. Whereas the House of Commons has received Information, that Letters from Peers are directed to Boroughs, that are now to make Elections for Members to serve in this Parliament, they conceive that all Letters in that Nature from any Peers of this Realm do necessarily tend to the Violation

lation of the Privilege of Parliament, and the Freedom of Election of Members that ought to serve in the House of Commons, and do declare, that, notwithstanding such Letters, all Persons to whom Elections of Knights and Burgeſſes do belong, ought to proceed to their Elections with that Freedom, which by the Laws of the Realm, and by Right they ought to do, and do expect that if any ſuch Letters, from any Peers of the Realm, ſhall hereafter be ſent unto them, the Parties receiving the ſame certify the Contents thereof, and bring the Letters themſelves to the Speaker of the Houſe of Commons.

*Resolved*, That it ſhall be thus read,

That the Knights, Citizens, Burgeſſes, and Barons of the Cinque Ports, ſhall ſend Copies of this Order to the ſeveral Counties, Cities, Boroughs, and Cinque Ports reſpectively.

1700, 15 Feb. *Resolved*, *Nemine Contradicente*, That for any Peer of this Kingdom, or any Lord Lieutenant of any County to concern themſelves in the Election of Members to ſerve for the Commons in Parliament, is a high In-

fringement of the Liberties and Privileges of the Commons of *England*.

1708, 22 *Nov.* Afterwards of *Great Britain*. Revived every Session.

1670, 18 *Jan.* Information being given to the House of an Endeavour to forestall a free Election, by issuing out Papers in the Nature of Warrants, to pre-engage the Country before any Writ issuing, and several of the said Papers being delivered in at the Table, and being upon the Question, ordered to be read, and read accordingly ;

*Resolved*, &c. That the sending of Warrants, or Letters in the Nature of Warrants, or Letters to High Constables, or other Electors, when a Knight of the Shire, or other Member, is to be chosen to serve in Parliament, or threatening the Electors is unparliamentary, and a Violation of the Rights of Electors.

1690, 30 *Ap.* *Resolved*, That Quakers having a Freehold, and refusing to take the Oaths, when tendered by the Sheriff, are incapable of giving their Votes for Knights of the Shire, for that Reason.



1698, 22 Dec. *Resolved, Nemine Contradicente*, That no Alien (not being a Denizen or naturalized) hath any Right to vote in Elections of Members to serve in Parliament.

1699, 14 Dec. *Resolved, Nemine Contradicente*, That no Peer of this Kingdom hath any Right to give his Vote in the Election of any Member to serve in Parliament.

1703, 9 Nov. } Revived, and every  
1708, 22 Nov. } Session since.

1699, 21 Dec. *Resolved*, That it is the Opinion of this Committee, that if any Person, having a Right to vote for two Members to serve in Parliament, shall give a single Vote, such Person hath no Right to come afterwards, and give his second Vote during the said Election.

1660, 20 July, This House doth declare it to be a fundamental Order of this House, that the proper Officer, except only in Cases of Impotency or Sickness, ought to amend in the House all Returns of Elections, where, upon an Error committed in the Return, the House shall see Cause to order an Amendment.

1690, 12 *Ap. Resolved*, That after a Return is made into the Crown-Office of Members to serve in Parliament, the same shall not be altered by the Sheriffs, or the Clerk of the Crown, or by any other, but by this House.

1668, 30 *Mar. Resolved*, That this House doth declare, that there is no Fee due for Orders or Writs of Elections, upon the Admission of Members into the House.

1688, 23 *Jan.* The House being informed, that it was an ancient Order and Custom of the House; that upon new Members coming into the House, they be introduced to the Table between Two Members, and make their Obeisance as they go up, that they may be the better known to the House.

*Resolved*, That the said Order and Custom be for the future observed.

1703, 26 *Jan.* Mr. *Freeman* (according to Order) reported from the Committee of the whole House, to whom it was referred, to consider of the Report of the Journals of the House of Lords, touching the Case of *Ashby* and *White*; and the Case of *Bernardiston* and *Soame*, the Resolutions which they had directed him

him to report to the House, which he read in his Place, and afterwards delivered in at the Clerk's Table, where the same were read, and are as follows, (*viz.*)

*First, Resolved*, That it is the Opinion of this Committee, that according to the known Laws and Usage of Parliament, it is the sole Right of the Commons of *England* in Parliament assembled (except in Cases otherwise provided for by Act of Parliament) to examine all Matters relating to the Rights of Elections of their own Members.

*Secondly, Resolved*, That it is the Opinion of this Committee, that according to the known Laws and Usage of Parliament, neither the Qualification of any Elector, or the Right of any Person elected, is cognizable or determinable elsewhere than before the House of Commons of *England* in Parliament assembled, except in such Cases as are especially provided for by Act of Parliament.

*Thirdly, Resolved*, That it is the Opinion of this Committee, that the examining and determining the Qualification or Right of any Elector, or any Person

elected to serve in Parliament in any Court of Law, or elsewhere, than before the Commons of *England* in Parliament assembled (except in such Cases as are especially provided for by Act of Parliament) will expose all Mayors, Bailiffs, and other Officers, who are obliged to take the Poll, and make a Return thereupon, to Multiplicity of Actions, Vexations, Suits, and insupportable Expences, as will subject them to different and independent Jurisdictions, and inconsistent Determinations in the same Case without Relief.

*Fourthly, Resolved*, That it is the Opinion of this Committee, that *Matthew Ashby* having, in Contempt of the Jurisdiction of this House, commenced and prosecuted an Action at common Law against *William White* and others, the Constables of *Aylesbury*, for not receiving his Vote at an Election of Burgesses to serve in Parliament for the said Borough of *Aylesbury*, is guilty of a Breach of the Privilege of this House.

*Fifthly, Resolved*, That it is the Opinion of this Committee, that whosoever shall presume to commence or prosecute any Action, Indictment, or Information, which

which shall bring the Right of the Electors, or Persons elected to serve in Parliament, to the Determination of any other Jurisdiction than that of the House of Commons (except in Cases especially provided for by Act of Parliament) such Person or Persons, and all Attornies, Solicitors, Counsellors, and Serjeants at Law, soliciting, prosecuting, or pleading in any such Case, are guilty of a high Breach of the Privilege of this House.

The said Resolutions being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House.

*Ordered*, That the said Resolutions be fixed upon *Westminster-Hall* Gate, signed by the Clerk.

1707, 18 Feb. *Resolved, First*, That all Matters that shall come in Question touching Returns or Elections, shall be heard at the Bar of the House.

1708, 22 Nov. Revived.

*Resolved, Secondly*, That all Questions at the Trial of Elections, if any Member insist upon it, be determined by Ballot.

1708, 22 Nov. Vacated.



*Resolved, Thirdly,* That all Petitions upon every new Parliament, relating to Elections and Returns, be delivered to the Clerk of the House, and be by him laid upon the Table before the Speaker be chosen.

1708, 22 Nov. Revived.

*Ordered,* That the said Resolutions be standing Orders of the House.

Mr. Speaker to send the said Resolutions to the Sheriffs of the several Counties of *Great Britain*, to be by them communicated to the chief Officers of the several Cities, Corporations and Boroughs sending Members to Parliament in their respective County.

1640, 6 Nov. This Committee is appointed to examine and consider all Questions to grow and arise this Parliament, about Elections and Returns, and other Privileges of the House, and to report their Opinions and Proceedings therein to the House; and have Power to send for Records, Witnesses, and Parties, and to hear Council; and are for this Purpose to meet this Afternoon, and afterwards every *Saturday, Tuesday and Thursday* in the *Star-Chamber* after Dinner.

*Or-*

*Ordered*, That those Petitions this Day delivered into the House, concerning Elections, shall be bundled up, and delivered to the Committee of Privileges, and they to consider which of them to fall in hand first.

1657, 1 *Feb. Resolved*, That the Committee of Privileges do examine and determine Elections upon double Returns, or more, in the first Place, and report the same to the House with all the Speed that may be.

1660, 26 *Ap. Resolved*, &c. That the Committee have Power to examine and consider all Questions, which shall grow and arise this Parliament about Elections and Returns, and other Privileges, and to acquaint the House with their Proceedings from Time to Time; and all the double Returns to be first taken into Consideration, and reported to the House; and they are to meet in the *Exchequer-Chamber* this Afternoon at two o'Clock, and every *Tuesday, Thursday* and *Saturday* in the Afternoon, with Power to send for Persons, Papers, Writings and Records, and what else may conduce to the Business.

1661,

1661, 11 May, *Resolved*, That this Committee do meet this Afternoon at two of the Clock, in the *Exchequer-Chamber*, and every *Tuesday, Thursday* and *Saturday* at two of the Clock in the Afternoon, in the Place before-mentioned, and do take into Consideration all such Matters as shall or may come in Question touching Returns, Elections and Privileges, and to proceed upon double Returns in the first Place, and to report their Proceedings to the House.

And all Persons that will question double Returns already made, are to do it in fourteen Days next, and so in fourteen Days after any new Return, shall be brought in, and the Committee is to have Power to receive Petitions, and to send for Witnesses, Papers, and Records, for their Information, and to make Report of any Matter which shall concern Breach of Privilege; and all Members that are returned for two or more Places, are to make their Elections by this Day three Weeks, for which Place they will serve, provided there be no Question upon the Return for that Place; and if any thing shall come in Question touching the Return, or Matter of Privilege

vilege of any Member of this Committee, such Member is to withdraw from the Committee during the Time the Matter which concerns himself, is in Debate.

This Order revived every Session.

1626, 20 *Jan.* It is upon the Question ordered, that all which ore doubly returned shall make their Election for which Place they will serve, upon, or before this Day seven-night.

1627, 28 *Mar.* Every one that is doubly returned to make his Election now, in the House, or else the House to make Election for him.

1640, 6 *Nov.* Upon Debate of granting Time to those that are doubly returned, for making their Choice, &c. Whether the Question should be first made for *Monday* next, or for longer Time.

*Resolved upon the Question*, That the Question for *Monday* should be first made.

1640, 10 *Nov.* *Moved*, That such whose Elections are questioned, and are doubly returned, shall be exempted from making their Choice, for which Place they

they will serve, till their Elections be determined.

1640, 16 *Ap. Ordered*, That they that are by more Indentures than usual returned, shall withdraw themselves from sitting in the House, till the Committee for Privileges have further ordered it, and the Committee be desired to expedite their Business.

1660, 26 *Ap. Resolved, &c.* That all Members upon double Returns do forbear to sit, till the Point of double Returns be determined, unless they be returned in several Indentures; and such who are returned in the several Indentures, may sit.

1661, 11 *May*, } The same every  
1678, 1 *Mar.* } Session.

1681, 22 *May, Ordered*, That all Members returned upon double Returns do withdraw, till their Returns be determined.

*Ordered*, That the House do proceed upon double Returns in the first Place, before any other controverted Elections.

*Ordered*, That all Members who are returned for two or more Places (except such Members as are beyond Sea) do make



make their Elections in seven Days next after, for which of the Places they will serve; provided there be no Question upon the Return for such Places.

1708, 22 Nov. Revived.

1657, 1 Feb. *Resolved*, That in all Cases of double Returns, or more for one and the same Place, none that are so returned, unless they be named in both, or all the Returns, do sit, until the House have first determined touching the said Returns or Elections.

1660, 26 May, *Ordered*, That the Members of this House, who are doubly elected, and neither of their Elections questioned, do make their Elections by *Thursday* next, or in Default thereof the House to elect them.

1695, 7 Dec. *Declared*, That in case of double Returns, any Party so returned may (within fourteen Days after the Matter touching the Return be determined) petition as to the Merits of Election.

1661, 31 May, *Ordered*, That such Persons as have exhibited Petitions to the Committee of Privileges and Elections, without subscribing their Names thereto, have Leave to subscribe their Names to the said Petitions, and that the Committee

mittee do accept thereof, though the Time limited for exhibiting Petitions be elapsed.

1709, 16 Nov. *Ordered*, That it be an Instruction to the Committee, that they do examine whether the Petition to them referred be the same, and signed by the same Parties, as those presented the last Session of Parliament.

1623, 25 Feb. *Ordered upon the Question*, That all Petitions about Elections and Returns shall be presented to the Committee of Privileges within [a Fortnight from this Day, or else to be silenced for this Session.

1625, 15 Feb. All Petitions touching Elections to be preferred within fourteen Days after the Return.

1625, 18 Feb. All Petitions concerning Elections past to be delivered in before *Thursday* Fortnight, and for other Elections to be made hereafter, a Fortnight after their Return.

1626, 20 Jan. *It is this Day ordered upon the Question*, That all such as will question any Election already returned, shall do the same by Petition, to be delivered to the Committee of Privileges within fourteen Days next following,

lowing, and for those Elections hereafter to be returned, within fourteen Days after the Return thereof.

1640, 16 Nov. } Revived.  
1660, 26 Ap. }

1708, 27 Nov. *Ordered*, That all Persons that will question any Election to be made upon new Writs do present their Petitions within fourteen Days after the Return shall be delivered to the Clerk of the Crown.

1654, 5 Sept. *Resolved*, That no Petition against an Election of such Members as are already returned for *England* or *Scotland*, shall be received by the Committees of Privileges after three Weeks from this Day.

1708, 9 Mar. *Ordered*, That such Persons as shall think fit to renew their Petitions, complaining of undue Elections of Members to serve in this present Parliament, do present the same to the House the next Session of Parliament, according to antient Custom.

1678, 19 Mar. The House taking Notice of several Complaints in the Petitions this Day read, of diverse Misdemeanors, and undue Practices of Sheriffs, Mayors, Bailiffs, and other Officers,

ficers, in the Elections and Returns of Members to serve in Parliament.

*Ordered*, That it be an Instruction to the Committee of Privileges and Elections, that they do examine, and make a special Report of all Miscarriages and undue Practices in Sheriffs, Mayors, Bailiffs, or other Officers, concerned in the returning of Members elected to serve in Parliament, as likewise of all undue Practices, Letters, Promises, Threats, or Oppressions in any Elections.

1679, 17 May, *Ordered*, That the Chairman of the Committee of Privileges and Elections do make a special Report of the Miscarriages of Sheriffs, and other Officers concerned in the Return of Members to serve in Parliament, as well in the Elections that have been already examined by the said Committee, as those that shall hereafter come before them.

1685, 2 June, *Resolved*, That no Mayor, can duly return himself a Burgess to serve in Parliament for the same Borough of which he is Mayor at the Time of the Election.

*Resolved*, That no Mayor, Bailiff, or other Officer, to whom the Precept  
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ought to be directed, is capable of being elected to serve in Parliament for the same Borough of which he is Mayor, Bailiff, or Officer, at the Time of the Election.

1713, 9 Mar. Mr. *Freeman*, according to Order, reported from the Committee, who were to consider of the Act of the ninth Year of her Majesty's Reign, intituled, *An Act for securing the Freedom of Parliament by the further qualifying the Members to sit in the House of Commons*, the Resolutions they had directed him to report to the House, which he read in his Place, and afterwards delivered in at the Clerk's Table, where they were read, and are as follows, *viz.*

*Resolved, First*, That it is the Opinion of this Committee, that notwithstanding the Oath taken by any Candidate at, or after any Election, his Qualification may be afterwards examined into.

*Resolved, Secondly*, That it is the Opinion of this Committee, that the Person whose Qualification is expressly objected to in any Petition relating to his Election, shall, within fifteen Days after  
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the Petition is read, give to the Clerk of the House of Commons a Paper signed by himself, containing a Rental, or Particular of the Lands, Tenements, or Hereditaments, whereby he makes out his Qualification, of which any Person concerned may have a Copy.

*Resolved, Thirdly*, That it is the Opinion of this Committee, that if a sitting Member shall think fit to question the Qualification of a Petitioner, he shall, within fifteen Days after the Petition is read, leave Notice thereof in Writing with the Clerk of the House of Commons; and the Petitioner shall in such Case, within fifteen Days after such Notice, leave with the said Clerk of the House the like Account in Writing of his Qualification, as is required from a sitting Member.

The said Resolutions being severally read a second Time, were, upon the Questions severally put thereupon, agreed unto by the House.

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| 1714, 23 <i>Mar.</i> | } Made standing Orders. |
| 1716, 21 <i>Feb.</i> |                         |
| 1717, 21 <i>Nov.</i> |                         |

1734, 6 *Feb.* *Resolved*, That on the Petition of any Elector or Electors for any

any County, City, or Place, sending Members to Parliament, complaining of an undue Election and Return, and alledging that some other Person was duly elected, and ought to have been returned, the sitting Member so complained of may demand and examine into the Qualification of such Person so alledged to be duly elected, in the same Manner as if such Person had himself petitioned.

*Ordered*, That the said Resolution be declared to be a standing Order of the House.

1735, 16 *Jan.* *Resolved*, That in all Cases of controverted Elections for Counties in *England* and *Wales*, to be heard at the Bar of this House, or before the Committee of Privileges and Elections, the Petitioners do by themselves, or by their Agents, within a convenient Time to be appointed, either by the House, or the Committee of Privileges and Elections, as the Matter to be heard shall be before the House, or the said Committee, deliver to the sitting Members, or their Agents, Lists of the Persons intended by the Petitioner to be objected to, who voted for the sitting Members;

Members, giving in the said Lists the several Heads of Objections, and distinguishing the same against the Names of the Voters excepted to ; and that the sitting Members do by themselves, or by their Agents, within the same time, deliver the like Lists, on their Part, to the Petitioner's Agents. Revived annually.

1688, 28 *Jan. Ordered*, That the Chairman of the Committee of Elections and Privileges, be empowered to receive Petitions concerning Elections of Members to serve in this present Convention, and that the Petitions be numbered, as they come in, and heard in Course, as the same shall be brought in to the Committee.

1693, 12 *Jan. Ordered and Declared*, That the Hearings upon Petitions concerning the Elections before the Committee of Elections and Privileges be heard in Priority and Course, as they are set down, and appointed to be heard by the said Committee.

1698, 24 *Jan. Ordered*, That the Committee of Privileges and Elections be empowered from Time to Time to alter

alter (in course) the Days of hearing the said Causes, as they shall happen to be postponed.

1727, 18 Mar. *Resolved*, that in all Cases on double Returns, where the same shall be controverted, either at the Bar of the House, or in Committees of Privileges and Elections, the Council for such Person, who shall be first named in such double Return, or whose double Return shall be immediately annexed to the Writ or Precept, shall proceed in the first Place.

*Ordered and Declared*, That the said Order be a standing Order of the House.

1695, 25 Nov. *Ordered*, That it be an Instruction to the said Committee, that they do admit but two Council of a Side, to be heard in any Cause before them.

1696, 12 Oct. }

1698, 12 Dec. }

1699, 16 Nov. }

Revived.

1708, 22. Nov. Afterwards added, upon the Matter of controverted Elections.

1708, 27 Nov. *Ordered*, That the Council retained to be heard at the Bar in Causes upon controverted Elections,

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*Ordered and Declared*, That the said Order be a standing Order of the House.

1695, 25 Nov. *Ordered*, That it be an Instruction to the said Committee, that they do admit but two Council of a Side, to be heard in any Cause before them.

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Revived.

1708, 22. Nov. Afterwards added, upon the Matter of controverted Elections.

1708, 27 Nov. *Ordered*, That the Council retained to be heard at the Bar in Causes upon controverted Elections,

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be called in at Eleven o'Clock those Mornings that are appointed for such Hearings.

1710, 10 *Jan. Resolved*, That the Petitioner be admitted to give parole Evidence of the Mortgage of a Mortgagee in Possession of Lands, for which the Mortgagee voted against the Petitioner, without producing the Mortgage Deed.

1735, 26 *Feb. Resolved*, That the Council for the Petitioners be admitted to give parole Evidence, as to Persons being no Freeholders at the Time of the Election, who swore themselves then to be Freeholders.

1695, 16 *Jan. Resolved*, That the House doth agree with the Committee in the said Resolution, that Evidence ought not to be admitted to disqualify an Elector as no Freeholder, who at the Election swore himself to be a Freeholder.

*Surry and Hertford Elections.*

1623, 5 *Mar.* Upon the Question, all Affidavits so taken in any Court concerning Elections, Returns, or any thing depending thereupon to be rejected, and not used hereafter.

1710, 10 *Jan. Resolved*, That the Decree of a Baron-Court be admitted to be read as Evidence, to prove the sitting Member's Possession of those Lands for which he voted at the Election for the Shire of *Kinross*, though it was not produced, when the Objection was made to his Possession.

1735, 16 *Jan. Ordered*, That the Council at the Bar of this House, or before the Committee of Privileges and Elections, be restrained from offering Evidence touching the Legality of Votes for Members to serve in Parliament for any County, Shire, City, Borough, Cinque Port or Place, contrary to the last Determination of the House of Commons, which Determination, by an Act passed in the second Year of his present Majesty's Reign, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Election of Members to serve in Parliament*, is made final to all Intents and Purposes whatsoever, any Usage to the contrary notwithstanding.

*Ordered*, That the said Order be a standing Order of the House.

1693, 12 *Feb.* Evidence admitted to unqualify Freeholders, who had sworn themselves such at *Cambridge-County* Election.

1735, 2 *Mar.* *Resolved*, That the Council for the Petitioners be admitted to give Evidence to what a Voter confessed of his having no Freehold, who at the Time of the Election swore he had.

1700, 21 *Feb.* *Resolved*, That if it shall appear that any Person hath tampered with any Witness, in respect of their Evidence to be given to this House, or any Committee thereof, or directly or indirectly endeavoured to deter or hinder any Person from appearing, or giving Evidence, the same is declared to be a high Crime and Misdemeanor, and this House will proceed with the utmost Severity against such Offenders.

*Resolved*, That if it shall appear that any Person hath given false Evidence in any Cause before this House, or any Committee thereof, this House will proceed with the utmost Severity against such Offenders.

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and the Votes counted there by the Clerk, in the Presence of the said Members.

*Resolved*, That it is the Opinion of this Committee, that all Members sit in their Places, till the Votes are given, and the Affirmative, or Negative, declared by the Speaker.

The said Resolutions being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House.

*Ordered*, That the said Resolutions be standing Orders of the House.

1708, 22 Nov. Vacated, *per Order*.

### ORDERS relating to Preachers.

1699, 31 Jan. *Resolved*,

**T**HAT for the future, no Person be recommended to preach before this House, who is under the Dignity of a Dean in the Church, or hath not taken his Degree of a Doctor of Divinity.

1742,<sup>14</sup> June, The House was moved, that the Resolution of the House, of the 31<sup>st</sup> of January, 1699. That for the future no Person be recommended to

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preach,



preach, &c. might be read, and the same being read accordingly,

*Resolved, Nemine Contradicente,* That for the future no Parson (except the Chaplain of this House) be recommended to preach before this House, who is under the Dignity of a Dean in the Church, or hath not taken his Degree of Doctor of Divinity.

*Ordered,* That the Chaplain to this House, do preach before this House, at St. Margaret's, Westminster, upon Friday the 11th of this Instant June, being the Anniversary of his Majesty's happy Accession to the Throne.

*A Conference of the Lords and Commons upon a Libel.*

1750, 22 Jan.

**A** Message from the Lords by Mr. Allen, and the Clerk of the Parliaments, that the Lords do desire a present Conference with this House in the painted Chamber, touching a Matter highly concerning the Honour of his Majesty, and his Government.

*Resolved*

These Orders revived every Session.

1700, 13 *Feb.* *Resolved, Nemine Contradicente*, That where the House shall judge any Petition touching the Elections to be frivolous and vexatious, the House will order Satisfaction to be made to the Person petitioned against. Revived annually.

1700, 19 *Jan.* The Committee of Elections having proceeded on that for *Roxborough*, and not being able to go through the same, and the House having ordered that for *Ross* to be heard to-morrow, desires the Direction of the House how the Committee should proceed.

*Ordered*, That the Committee do proceed in, and go through the Cause touching the Election for the Shire of *Roxborough* before they enter upon any Cause.

# ORDERS for ballotting on controverted Elections.

1707, 21 Feb.

**M**R. Benson reported from the Committee, appointed to consider of proper Methods for the more speedy and easy trying and determining of controverted Elections, and to whom it was referred, to consider of a proper Method for ballotting, &c. several Resolutions, viz.

*Resolved*, That it is the Opinion of this Committee, that a Ballotting-Box and Balls be prepared.

*Resolved*, That it is the Opinion of this Committee, that two Clerks attend the ballotting, one to deliver the Balls to the Member, and the other to carry the Box.

*Resolved*, That it is the Opinion of this Committee, that such Member prepare his Hand bare and open, to receive the Ball ; and that he hold it up between his Fingers, before he puts his Hand into the Box ; and that the Box be immediately brought to the Table,  
and

*Resolved*, That this House doth agree to meet the Lords at a present Conference, as their Lordships do desire.

*Ordered*, That a Committee be appointed to manage the said Conference ;

And a Committee was appointed accordingly, and the Names of the Managers were called over, and they went to the Committee :

And being returned,

The Master of the Rolls reported the Conference ; and that it was to acquaint this House, that the Lords having taken into Consideration a certain printed Paper, intituled, *Constitutional Queries, earnestly recommended to the serious Consideration of every true Briton*, had come to the following Resolutions, *viz.*

*Resolved*, By Lords Spiritual and Temporal - - - - - in Parliament assembled, that the said printed Paper, intituled, *Constitutional Queries, earnestly recommended to the serious Consideration of every true Briton*, is a false, malicious, scandalous, infamous, and seditious Libel, containing the most false, audacious, and abominable Calumnies and Indignities upon his Majesty, and the most

presumptuous and wicked Insinuations, that our Laws, Liberties and Properties, and the excellent Constitution of this Kingdom, are in danger under his Majesty's legal, mild and gracious Government, with Intent to instil groundless Suspicions and Jealousies, into the Minds of his Majesty's good Subjects, and to alienate their Affections from his Majesty and his Royal Family.

*Resolved*, By the Lords Spiritual and Temporal - - - - - in Parliament assembled, that in Abhorrence and Detestation of such abominable and seditious Practices, the said printed Paper be burnt by the Hands of the common Hangman, in the *New Palace-yard, Westminster*, on *Friday* the 25th of this Instant *January*, at one of the Clock in the Afternoon ; and that the Sheriff of *Middlesex* do attend at the same Time and Place, and cause the same to be burnt there accordingly.

To which Resolutions their Lordships desire the Concurrence of this House ; and that the Conference also was to communicate to this House the said printed Paper.

And the said Report being read ;

And



And the said printed Paper being also read ; and the first of the said Resolutions being read a second Time.

*Resolved, Nemine Contradicente, That this House doth agree with the Lords in the said Resolution.*

And the Blank was filled up with the Words, *and Commons.*

The second of the said Resolutions, being read a second Time.

*Resolved, Nemine Contradicente, That this House doth agree with the Lords in the said Resolution.*

And the Blank was filled up with the Words, *and Commons.*

*Resolved, Nemine Contradicente, That an humble Address be presented to his Majesty, to desire his Majesty will be graciously pleased to give immediate Orders, that the most effectual Means be taken for discovering the Author, Printer, and Publishers of a false, malicious, wicked and seditious Libel, intituled, Constitutional Queries, earnestly recommended to the serious Consideration of every true Briton, &c. and for bringing the said Author, Printer, and Publishers to condign Punishment.*

*Ordered*, That the said Address be presented to his Majesty by such Members of this House as are of his Majesty's most Honourable Privy Council.

*Resolved*, That a Conference be desired with the Lords upon the Subject-Matter of the last Conference.

*Ordered*, That the Marquis of *Hartington* do go to the Lords, and desire the said Conference.

The Marquis of *Hartington* reported, that he having (according to Order) been at the Lords to desire a Conference upon the Subject-Matter of the last Conference, the Lords do agree to a Conference, and appoint the same presently in the Painted Chamber.

*Ordered*, That the Committee, who managed the last Conference, do manage this Conference.

*Ordered*, That the Printed Paper, communicated by the Lords to this House, be delivered to the Lords at the Conference, together with the Resolutions, to which the Lords desired the Concurrence of this House; and that their Lordships be acquainted that this House hath agreed to the said Resolutions.

Then

Then the Names of the Managers were called over, and they went to the Conference ;

And being returned,

The *Master of the Rolls* reported, that the Managers had been at the Conference with the Lords, and left with their Lordships the Printed Paper communicated by the Lords to this House, and had acquainted their Lordships that this House had agreed to the Resolutions, to which their Lordships had desired the Concurrence of this House, and had left the Resolutions with the Lords.

1750, 23 Jan. Mr. Comptroller reported to the House, that their Address of yesterday, to desire his Majesty will be graciously pleased to give immediate Orders, that the most effectual Means be taken for discovering the Author, Printers, and Publishers of a false, malicious, wicked and seditious Libel, intitled, *Constitutional Queries, earnestly recommended to the serious Consideration of every true Briton, &c.* and for bringing the said Author, Printers, and Publishers to condign Punishment, had been presented

to his Majesty; and that his Majesty had commanded him to acquaint this House that he will give Directions accordingly.

*Proceedings on the Election of a Member  
for the City of Westminster.*

1749, 22 Jan.

Notice being taken, that no Return had yet been made of the Writ for the electing of a Citizen to serve in this present Parliament, for the City of *Westminster*, in the Room of the Right Honourable *Granville Leveson Gower*, Esq; commonly called, Lord Viscount *Trentbam*, (who, since his Election for the said City, had accepted the Office of one of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*) although the said Writ was ordered upon the 16th Day of *November* last, to be made out.

The Order made upon the 16th Day of *November* last, for Mr. Speaker to issue his Warrant to the Clerk of the Crown for making out the said Writ, was read.

*Ordered,*

*Ordered*, That the Clerk of the Crown do attend this House to-morrow Morning to give an Account of the issuing of the said Writ.

*Ordered*, That Mr. *John Crawford*, Pursivant or Messenger extraordinary attending the Great Seal, do attend this House to-morrow Morning, to give an Account of the sending of the said Writ to the Sheriff of the County of *Middlesex*.

*Ordered*, That the Under-Sheriff of the County of *Middlesex* do attend this House to-morrow Morning, to give an Account of the issuing of a Precept to the High Bailiff of the City of *Westminster*, in Pursuance of the said Writ.

*Ordered*, That the High Bailiff of the City of *Westminster* do attend this House to-morrow Morning, to give an Account of the Execution of the said Precept.

1749, 23 Feb. The Deputy-Clerk of the Crown (attending according to Order) gave the House an Account of the issuing of the Writ for the electing of a Citizen to serve in this present Parliament, for the City of *Westminster*, in the Room of the Right Honourable  
Gran-



*Granville Levison Gower*, Esq; commonly called Lord Viscount *Trentham*, (who, since his Election for the said City, had accepted the Office of one of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*) which Writ was directed upon the 16th Day of *November* last, to be made out.

Mr. *John Crawford*, Pursivant, or Messenger extraordinary attending the Great Seal, attending, according to Order, was called in, and at the Bar examined, touching the sending of the said Writ to the Sheriff of *Middlesex*,

And then he withdrew.

The Under-Sheriff of the County of *Middlesex* attending, according to Order, he was called in, and at the Bar examined, touching the issuing of a Precept in Pursuance of the said Writ,

And then he withdrew.

The High Bailiff of the City of *Westminster* attending, according to Order, was called, and being examined at the Bar, acquainted the House, that he is now in the Execution of the said Precept, that he had all along endeavoured to avoid all unnecessary Delay therein ;  
and

*The House was moved, That the Journal of the House of the 22d and 23d of February last, containing the Entry of the Proceedings of the House in relation to the Execution of the Writ which was ordered to be issued upon the 16th Day of November 1749, for the electing of a Citizen to serve in this present Parliament for the City of Westminster, in the Room of the Right Honourable Granville Leveson Gower, Esq; commonly called Lord Viscount Trentbam, might be read ;*

*And the same being read accordingly.*

*Ordered, That Peter Leigh, Esq; High Bailiff of the City of Westminster, do attend this House immediately, in order to give the House an Account of what he did in Pursuance of the Directions given to him by this House upon the 23d Day of February last, in relation to the Execution of the Precept, issued to him in Pursuance of the said Writ.*

*Peter Leigh, Esq; High Bailiff of the City of Westminster, attending (according to Order) was called in, and examined in relation to what he did in Pursuance of the said Directions.*

*And*

And having, in the Course of his Examination, alledged, that the said Election was protracted by an affected Delay,

He was directed to withdraw.

*Resolved*, That the High Bailiff of the City of *Westminster* be again called in, and asked, by whom it was, that the said Election was protracted, and by what Means.

The High Bailiff of the City of *Westminster* was again called in, and being asked, by whom it was, that the said Election was protracted, and by what Means.

He named Mr. *Crowle*.

And having, in the Course of his further Examination, complained of ill Treatment offered to him by several Persons upon Account of his Behaviour in relation to the said Election and Return.

He was again directed to withdraw.

He was again called in, and being required to name the Persons from whom he received the ill Treatment of which he had complained.

He named Mr. *Alexander Murray*, and Mr. ——— *Gibson*.

And

and that, if some Delay has happened in the Scrutiny of the Poll (taken at the Election) which he is now proceeding upon, it has been such only, as he did not think he had sufficient Power to prevent or remove,

And then he withdrew.

He was again called in,

And Mr. Speaker (by Direction of the House) recommended some Particulars of his Duty to him, and acquainted him, that if he met with any thing to obstruct him therein, which he could not prevent, he should apply to the House upon it, and might be assured of the Support of the House in the Discharge of his Duty; and that the House expected he would take care in general to expedite the Election as much as possible.

Upon which he expressed his great Readiness to conform himself to the Direction of the House, and said, that he would use his best Endeavours to expedite the Election, and hoped to perform his Duty in general, to the Satisfaction of the House;

And then he withdrew.

1750,

1750, 20 Jan. A Petition of the several Burgeſſes and Inhabitants of the City and Liberty of *Westminster*, whose Names are thereunto subscribed, on Behalf of themselves, and several other Burgeſſes and Inhabitants of the said City and Liberty, was presented to the House, and read, complaining of an undue Election and Return for the said City of *Westminster*.

*Ordered*, That the Matter of the said Petition be heard at the Bar of this House upon to-morrow seven-night, the 5th Day of *February* next.

A Petition of Sir *George Vandeput*, Baronet, was also presented to the House and read, complaining of an undue Election and Return for the City of *Westminster*.

*Ordered*, That the Matter of this Petition be heard at the Bar of this House, at the same Time that the Matter of the Petition of the several Burgeſſes and Inhabitants of the City and Liberty of *Westminster*, whose Names are thereunto subscribed on Behalf of themselves, and several other Burgeſſes and Inhabitants of the said City and Liberty, is appointed to be heard.

*The*



And then he again withdrew.

*Ordered*, That *Richard Crowle*, Esq; do attend this House upon *Thursday* Morning next.

*Ordered*, That the Honourable *Alexander Murray*, Esq; do attend this House upon *Thursday* Morning next.

*Ordered*, That — *Gibson*, Upholder in *Covent-Garden*, do attend this House upon *Thursday* Morning next.

*Ordered*, That the High Bailiff of the City of *Westminster* do attend this House upon *Thursday* Morning next, to make good his Charge against the said several Persons by him named in the Complaint, which he has this Day made to the House, in regard to the Obstruction he met with in the Execution of his Office.

1750, 31 Jan. The several Orders of the Day for the Attendance of *Richard Crowle*, Esqt the Honourable *Alexander Murray*, Esq; — *Gibson*, Upholder in *Covent-Garden*, and the High Bailiff of the City of *Westminster*, being read,

The High Bailiff of the City of *Westminster* was called in, and acquainted that he might now proceed to make good

good his Charge against the several Persons by him named to the House upon *Monday* last.

And *Richard Crowle*, Esq; one of the said Persons was called in.

And the High Bailiff proceeded to state his Charge against the said Mr. *Crowle*.

And Mr. *Crowle* was heard to the said Charge.

And the High Bailiff having been heard to what had been alledged by Mr. *Crowle*, they were both directed to withdraw.

*Resolved*, That the High Bailiff of the City of *Westminster* be again called in, and directed to produce his Evidence upon his Charge against *Richard Crowle*, Esq;

The High Bailiff and Mr. *Crowle* were again called in.

And the High Bailiff examined several Witnesses in Support of the said Charge.

And Mr. *Crowle* was heard, and examined a Witness in Answer to the said Charge.

And the High Bailiff was heard by way of Reply ;

And

And then they were directed to withdraw.

*Resolved*, That it appears to this House, that *Richard Crowle*, Esq; during the late Scrutiny of the Poll for the City of *Westminster*, after he had full Notice of the Orders of this House given to the High Bailiff of the said City to expedite the said Scrutiny, did wilfully and designedly protract the same; and when he was reminded of the said Orders by the High Bailiff, did publicly avow and declare he had done so, and did utter disrespectful Words in Contempt of the Authority of this House,

*Ordered*, That the said Mr. *Crowle* be now brought to the Bar of this House, and be upon his Knees reprimanded by Mr. Speaker for his said Offence.

He was brought in accordingly, and upon his Knees reprimanded by Mr. Speaker, and discharged, paying his Fees.

*Ordered*, That the further Consideration of the Charge made by the High Bailiff of the City of *Westminster* be adjourned till to-morrow Morning.

1750, *Feb. 1.* The House (according to Order) resumed the adjourned Consideration of the Charge made to the House upon *Monday* last by the High Bailiff of the City of *Westminster*.

And the High Bailiff was called in and directed to proceed to make good the rest of his Charge ;

And then he was directed to withdraw.

He was again called in.

And the Honourable *Alexander Murray*, Esq; one of the Persons named in the said Charge, was also called in.

And the High Bailiff proceeded to state his Charge against the said Mr. *Murray*.

And Mr. *Murray* having been heard to the said Charge, and having denied the same, and desiring to make his Defence thereto by Council.

They were both directed to withdraw.

The House was moved, that Part of an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An Act for allowing Persons impeached of High Treason, whereby any Corruption of Blood may be made, or for Misprision of*  
such

*such Treason, to make their full Defence by Council, might be read;*

And the same was read accordingly.

Mr. *Murray* was again called in;

And being asked, whether his Council were ready to proceed, he acquainted the House, that he had sent for them; that he was ready himself, but did not know, whether they would be ready to proceed this Day.

And then he was again directed to withdraw.

*Ordered*, That Mr. *Murray* be admitted to be heard at the Bar of this House by his Council, upon the Matter of the Charge made against him by the High Bailiff of the City of *Westminster*.

*Ordered*, That the High Bailiff of the City of *Westminster* be admitted to be heard by Council, in support of the Charge, if he thinks fit.

*Ordered*, That the said Mr. *Murray* be taken into the Custody of the Serjeant at Arms attending this House; and that when he shall be in such Custody, the Serjeant at Arms attending this House do take such Bail for the said Mr. *Murray*, as shall be approved by Mr. Speaker, for the said Mr. *Murray's* At-

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tendance



1750, Feb. 1. The House (according to Order) resumed the adjourned Consideration of the Charge made to the House upon *Monday* last by the High Bailiff of the City of *Westminster*.

And the High Bailiff was called in and directed to proceed to make good the rest of his Charge ;

And then he was directed to withdraw.

He was again called in.

And the Honourable *Alexander Murray*, Esq; one of the Persons named in the said Charge, was also called in.

And the High Bailiff proceeded to state his Charge against the said Mr. *Murray*.

And Mr. *Murray* having been heard to the said Charge, and having denied the same, and desiring to make his Defence thereto by Council.

They were both directed to withdraw.

The House was moved, that Part of an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An Act for allowing Persons impeached of High Treason, whereby any Corruption of Blood may be made, or for Misprision of*  
such

*such Treason, to make their full Defence by Council, might be read;*

And the same was read accordingly.

Mr. *Murray* was again called in;

And being asked, whether his Council were ready to proceed, he acquainted the House, that he had sent for them; that he was ready himself, but did not know, whether they would be ready to proceed this Day.

And then he was again directed to withdraw.

*Ordered*, That Mr. *Murray* be admitted to be heard at the Bar of this House by his Council, upon the Matter of the Charge made against him by the High Bailiff of the City of *Westminster*.

*Ordered*, That the High Bailiff of the City of *Westminster* be admitted to be heard by Council, in support of the Charge, if he thinks fit.

*Ordered*, That the said Mr. *Murray* be taken into the Custody of the Serjeant at Arms attending this House; and that when he shall be in such Custody, the Serjeant at Arms attending this House do take such Bail for the said Mr. *Murray*, as shall be approved by Mr. Speaker, for the said Mr. *Murray's* At-

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tendance

tendance upon this House, from time to time, as often as he shall be required thereunto.

*Ordered*, That the further Consideration of that Part of the said Charge, which relates to the said Mr. *Murray*, be adjourned till *Wednesday* Morning next.

*Ordered*, That the Charge made by the High Bailiff of the City of *Westminster* against the said Mr. *Murray*, be by him put into Writing, and delivered to the Clerk of this House; and that a Copy of the said Charge be delivered to the said Mr. *Murray*.

The High Bailiff was again called in.

And *John Gibson*, another of the Persons named in the Charge made to the House upon *Monday* last by the said High Bailiff, was also called in.

The High Bailiff proceeded to state his Charge against the said Mr. *Gibson*.

And Mr. *Gibson* having been heard to the said Charge, and having denied the same;

The High Bailiff examined several Witnesses in Support of the former Part of the said Charge.

And having called another Witness,  
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The High Bailiff, Mr. *Gibson*, and the said Witness were directed to withdraw.

The High Bailiff and Mr. *Gibson* were again called in.

And the High Bailiff having acquainted the House, that he had called the said Witness in support of the latter Part of his said Charge.

The High Bailiff and Mr. *Gibson* were again directed to withdraw.

They were again called in,

And the High Bailiff was directed to confine himself to the former Part of the said Charge.

And he having acquainted the House, that he had gone through his Evidence in support of that Part of the said Charge.

Mr. *Gibson* was heard, and examined several Witnesses in answer to the said Charge.

And having referred to a Member of the House, as having been present at the Time mentioned in the Charge.

The said Member did in his Place inform the House of what he knew concerning the Matter of the said Charge.

And Mr. *Gibson* having gone through his Evidence, the High Bailiff was heard by way of Reply ; and having referred to a Member of the House, as having been present at the Time mentioned in the Charge,

The said Member did in his Place inform the House of what he knew concerning the Matter of the said Charge.

And then the High Bailiff and Mr. *Gibson* were directed to withdraw.

And several Members did in their Places inform the House of what they knew concerning the Matter of the said Charge.

The House was moved, that the Entry of the former Part of the said Charge made by the High Bailiff against the said Mr. *Gibson*, might be read ;

And the same was read accordingly.

*Resolved*, That it appears to this House, that the said Mr. *John Gibson* is guilty of an high Contempt of the Authority and Privileges of this House, by reflecting on the Proceedings of this House, and of the Legislature.

*Ordered*, That the said *John Gibson* be, for his said Offence, committed Prisoner to his Majesty's Goal of *Newgate* ;  
and



and that Mr. Speaker do issue his Warrant accordingly.

1750, 4 *Feb.* Mr. Speaker acquainted the House, that the Serjeant at Arms attending this House had informed him, that, in Pursuance of the Order of this House of *Friday* last, he had taken into his Custody the Right Honourable *Alexander Murray*, Esq; and when in his Custody had taken Bail for the said Mr. *Murray's* Attendance upon this House from time to time, as often as he should be required thereunto; and that the said Mr. *Murray* was now upon such Bail.

Mr. Speaker further acquainted the House, that the said Bail was such as had been approved of by him, as the said Order directed.

*Ordered*, That the said Mr. *Murray* do attend this House upon *Wednesday* Morning next.

*Ordered*, That the Order made upon *Monday* the 28th of *January* last, for hearing to-morrow Morning at the Bar of this House the Matter of the Petition of the several Burgeesses and Inhabitants of the City and Liberty of *Westminster*, whose Names are thereunto subscribed

on Behalf of themselves, and several other Burgesſes and Inhabitants of the ſaid City and Liberty, complaining of an undue Election and Return for the City of *Westminster*, be now read ;

And the ſame being read accordingly.

*Ordered*, That the ſaid Order be diſcharged.

*Ordered*, That the Order made upon *Monday* the 28th of *January* laſt, for hearing at the Bar of this Houſe the Matter of the Petition of Sir *George Vandput*, Bart. complaining of an undue Election and Return for the City of *Westminster* ; at the ſame Time, that the Matter of the Petition of the ſeveral Burgesſes and Inhabitants of the City and Liberty of *Westminster*, whoſe Names are thereunto ſubſcribed, on Behalf of themſelves, and ſeveral other Burgesſes and Inhabitants of the ſaid City and Liberty, was appointed to be heard, be now read ;

And the ſame being read accordingly.

*Ordered*, That the ſaid Order be diſcharged.

*Ordered*, That the Matters of the ſaid Petitions be heard at the Bar of this Houſe upon *Thursday* Morning next.

1750, 6 Feb. The other Order of the Day being read,

The House resumed the adjourned Consideration of that Part of the Charge made to the House by the High Bailiff of the City of *Westminster*, which relates to the Honourable *Alexander Murray*, Esq;

And the High Bailiff, and the Council for Mr. *Murray* were called in ;

And the Charge of the High Bailiff against the said Mr. *Murray* was read.

The High Bailiff examined one Witness in support of the said Charge.

And then the High Bailiff, the Council, and the said Witness were directed to withdraw.

The High Bailiff and the Council were again called in.

And the High Bailiff examined several other Witnesses in support of the said Charge.

And having gone through his Evidence;

The Council for Mr. *Murray* were heard, and examined several Witnesses in answer to the said Charge.

And the High Bailiff was heard by way of Reply ;

And the said Mr. *Murray* was heard at the Bar ;

And then the High Bailiff, Mr. *Murray*, and the Council were directed to withdraw.

*Resolved*, That it appears to this House, that the Honourable *Alexander Murray*, Esq; on the 15th Day of *May* last, being the Day of Return of a Member. to serve in Parliament for the City of *Westminster*, attended by a Mob, did, before the Return was made, come to the House of Mr. *Baldwin*, the Deputy High Bailiff of the said City, and then and there declared, in a menacing and insulting manner, that he and a thousand more had sworn, that the High Bailiff should make his Return in the middle of *Covent-Garden*, and not in the Portico ; that he was a Fool he had not ordered the Iron Rails before the Portico to be cut down the Night before ; that he had advised with Council, that if he had done it, and had not taken the Rails away, it would have been only a Trespass ; and that for 100, or 150 *l.* they might have been made good again ; and that had it not been  
to

to humour some faint-hearted Fellows, it would have been done, or Words to that Effect; and that the said *Alexander Murray*, immediately after the Return was made, appeared in *Covent-Garden Church-Yard*, while the Returning-Officer was in the Vestry, near the Place where the Return was made, at the Head of a Mob, who appeared to be on the Part of *Sir George Vandeput*, and did then utter Words exciting and inflaming the said Multitude to assault and murder the Returning-Officer; and that afterwards, as the Returning-Officer was going away, the said *Alexander Murray*, persevering in his wicked Purposes, did, at the Head of the said Mob, again incite them to Acts of Violence, saying, with Imprecations, *Will no-body knock the Dog down? will no-body kill the Dog?* or Words to that Effect.

A Motion was made, and the Question being proposed, that the said *Alexander Murray* be, for his said dangerous and seditious Practices, in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom



of Elections, committed close Prisoner to his Majesty's Goal of *Newgate*.

The House was moved, That the Journal of the House of the 23d of *February* 1741, in relation to the Proceedings of the House for the Punishment of *William Middleton*, Esq; might be read ;

And the same was read accordingly.

*Resolved*, That the said *Alexander Murray* be, for his said dangerous and seditious Practices in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections, committed close Prisoner to his Majesty's Goal of *Newgate*, and that Mr. Speaker do issue his Warrant accordingly.

*Resolved*, That the said *Alexander Murray* be now brought to the Bar of this House to receive his Sentence there upon his Knees.

He was brought in accordingly, and by Mr. Speaker directed to kneel.

And he having refused to be upon his Knees, as required by the said Resolution.

And being withdrawn.

*Resolved*,

*Resolved*, That it having been resolved by this House, that the said *Alexander Murray* should receive upon his Knees, at the Bar of this House, the said Sentence of this House against him ; and he having in a most insolent audacious manner, at the Bar of this House, absolutely refused to be upon his Knees as required by the said Resolution, is guilty of a high and most dangerous Contempt of the Authority and Privilege of this House.

*Ordered*, That the said *Alexander Murray* be committed close Prisoner to his Majesty's Goal of *Newgate*, in order to his forth coming, to abide such Orders as shall be made by this House, in relation to the said Contempt.

*Ordered*, That the said *Alexander Murray* (while in the said Goal by Virtue of the said Order) be not allowed the Use of Pen, Ink, or Paper ; and that no Person be admitted to have Access unto him, without the Leave of this House.

*Ordered*, That a Committee be appointed to consider, and report to the House, what Methods may be proper to

be taken by the House, in relation to the said Contempt.

And a Committee was appointed accordingly, and they are to withdraw immediately into the Speaker's Chamber ; and they have Power to send for Persons, Papers and Records.

*Ordered*, That the said Committee have Power to sit, notwithstanding any Adjournment of the House.

1750, 8 Feb. *Ordered*, That the Lord *Elibank* have leave to resort to his Brother the Honourable *Alexander Murray*, Esq; now a Prisoner in his Majesty's Goal of *Newgate*, committed to the said Goal by an Order of this House.

The House being informed, that a Person from the Keeper of *Newgate*, attended at the Door, he was called in, and at the Bar acquainted the House, that the said Mr. *Murray* is ill, and desires that a Physician and an Apothecary may have Leave to resort to him ; and that the Name of the Apothecary is *Cooke*, and the Name of the Physician he did not know, but had sent to enquire ;

And then he withdrew.

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The House being informed, that the Physician desired by the said Mr. *Murray* to attend him, was Doctor *Lamond* ;

*Ordered*, That the said Doctor *Lamond*, and the said Mr. *Cooke* have Leave to resort to the said Mr. *Murray* in the said Goal.

The House was moved, That the Order made upon *Monday* last, the 4th Day of *February*, for hearing yesterday at the Bar of this House the Matters of the Petition of the several Burgeses and Inhabitants of the City and Liberty of *Westminster*, whose Names are thereunto subscribed, on Behalf of themselves, and several other Burgeses and Inhabitants of the said City and Liberty, and of the Petition of Sir *George Vandeput*, Bart. severally complaining of an undue Election and Return for the City of *Westminster*, might be read.

And the same being read accordingly.

*Ordered*, That the Matter of the said Petitions be heard at the Bar of this House upon *Tuesday* Morning next.

1750, 12 *Feb.* *Ordered*, That the several Burgeses and Inhabitants of the City and Liberty of *Westminster*, who petitioned this House in Behalf of themselves,

selves, and several other Burgeſſes and Inhabitants of the City and Liberty, complaining of an undue Election and Return for the City of *Westminster*, be at Liberty to withdraw their Petition.

*Ordered*, That the Order made for hearing at the Bar of this House the Matter of the said Petition be discharged.

*Ordered*, That Sir *George Vandeput*, Bart. be at liberty to withdraw his Petition, complaining of an undue Election and Return for the said City.

*Ordered*, That the Order made for hearing at the Bar of this House the Matter of the said Petition be discharged.

1750, 14 Feb. Sir *William Yonge*, from the Committee who were appointed to consider, and report to the House, what Methods may be proper to be taken by the House, in relation to the Contempt of the Honourable *Alexander Murray*, Esq; who being in Pursuance of a Resolution of this House, brought to the Bar of this House, to receive his Sentence there upon his Knees, and who being by Mr. Speaker directed to kneel, refused to be upon his Knees, as required



required by the said Resolution, acquainted the House, that the Committee have directed him to make a Report when the House will please to receive the same.

*Ordered*, That the Report be received upon *Monday* Morning next.

A Petition of *John Gibson*, now Prisoner in *Newgate*, was presented to the House and read, expressing his Sorrow for having incurred the Displeasure of the House, giving the strongest and most solemn Assurances of his never giving the least Offence for the future, and praying to be discharged from his Confinement.

*Ordered*, That the said *John Gibson*, committed Prisoner by this House to his Majesty's Gaol of *Newgate*, on the 1st of this Instant *February*, be brought to the Bar of this House to-morrow Morning, in order to his being discharged ; and that Mr. Speaker do issue his Warrant accordingly.

1750, 15 *Feb.* *John Gibson* was (according to Order) brought to the Bar, where he, upon his Knees, received a Reprimand from Mr. Speaker, and was  
ordered

ordered to be discharged out of Custody, paying his Fees.

1750, 25 Feb. The Orders of the Day, for the Attendance of Dr. *Lamond* and Mr. *Cooke* the Apothecary, who were admitted to visit Mr. *Murray*, now Prisoner in his Majesty's Goal of *Newgate*, committed to the said Goal by an Order of this House, being read.

Dr. *Lamond* was called in, and at the Bar gave an Account of the State of the Health of Mr. *Murray*, during the time he had attended him in the said Goal ;

And then he withdrew.

*Resolved*, That no Person, allowed by this House to resort to the said Mr. *Murray* in his Majesty's Gaol of *Newgate*, have, without fresh Leave of this House, any further Access to the said Mr. *Murray*, while in the said Goal, by Virtue of an Order of this House, made upon the 6th Day of this Instant *February*, except his Physician Dr. *Lamond*, and his Apothecary Mr. *Cooke*, and also the Nurse, who has been by this House allowed to be with him in the said Prison.

1751,

1751, 2 *Ap.* The House being informed, that Dr. *Lamond*, who was admitted to resort to Mr. *Murray*, now a Prisoner in his Majesty's Gaol of *Newgate*, committed to the said Gaol by an Order of this House, was attending at the Door, and was desirous of giving the House some Information relating to the said Mr. *Murray*.

Dr. *Lamond* was called in, and at the Bar acquainted the House, that he had this Day attended the said Mr. *Murray*, that he apprehended him to have the Gaol Distemper coming upon him, and that he left him so extremely ill, that if he be not immediately removed from the Place of his present Confinement, there would be no Possibility of saving him ;

And then he withdrew.

*Ordered*, That the said Mr. *Murray*, committed by this House close Prisoner to his Majesty's Goal of *Newgate*, in order to his forth coming, to abide such Orders as should be made by this House, in relation to the high and most dangerous Contempt of the Authority and Privilege of this House, committed by the said Mr. *Murray* upon *Wednesday*  
the

ordered to be discharged out of Custody, paying his Fees.

1750, 25 *Feb.* The Orders of the Day, for the Attendance of Dr. *Lamond* and Mr. *Cooke* the Apothecary, who were admitted to visit Mr. *Murray*, now Prisoner in his Majesty's Goal of *Newgate*, committed to the said Goal by an Order of this House, being read.

Dr. *Lamond* was called in, and at the Bar gave an Account of the State of the Health of Mr. *Murray*, during the time he had attended him in the said Goal ;

And then he withdrew.

*Resolved*, That no Person, allowed by this House to resort to the said Mr. *Murray* in his Majesty's Gaol of *Newgate*, have, without fresh Leave of this House, any further Access to the said Mr. *Murray*, while in the said Goal, by Virtue of an Order of this House, made upon the 6th Day of this Instant *February*, except his Physician Dr. *Lamond*, and his Apothecary Mr. *Cooke*, and also the Nurse, who has been by this House allowed to be with him in the said Prison.

1751,

1751, 2 *Ap.* The House being informed, that Dr. *Lamond*, who was admitted to resort to Mr. *Murray*, now a Prisoner in his Majesty's Gaol of *Newgate*, committed to the said Gaol by an Order of this House, was attending at the Door, and was desirous of giving the House some Information relating to the said Mr. *Murray*.

Dr. *Lamond* was called in, and at the Bar acquainted the House, that he had this Day attended the said Mr. *Murray*, that he apprehended him to have the Gaol Distemper coming upon him, and that he left him so extremely ill, that if he be not immediately removed from the Place of his present Confinement, there would be no Possibility of saving him ;

And then he withdrew.

*Ordered*, That the said Mr. *Murray*, committed by this House close Prisoner to his Majesty's Goal of *Newgate*, in order to his forth coming, to abide such Orders as should be made by this House, in relation to the high and most dangerous Contempt of the Authority and Privilege of this House, committed by the said Mr. *Murray* upon *Wednesday*  
the



the 6th Day of *February* last, be discharged from his said Confinement there, and delivered over into the Custody of the Serjeant at Arms attending this House, in order to his the said Mr. *Murray's* forth coming, to abide such Orders as shall be made by this House, in relation to the said Contempt, and that Mr. Speaker do issue his Warrants accordingly.

*Ordered*, That a Physician to be appointed by Mr. Speaker, do attend the said Mr. *Murray*, while in the said Custody of the Serjeant at Arms attending this House, in order to give Satisfaction to the House, from time to time, in relation to the State of the said Mr. *Murray's* Health, and that Mr. Speaker do issue his Warrants accordingly.

*Ordered*, That no other Person be admitted to resort to the said Mr. *Murray*, while in the said Custody of the Serjeant at Arms, attending this House, except such other Person or Persons as Mr. Speaker shall from time to time think fit to authorise by his Warrant so to do, upon proper Application to be made to Mr. Speaker for that Purpose, and that  
Mr.

Mr. Speaker be impowered to issue his Warrants accordingly.

*Ordered*, That the said Mr. *Murray*, while in the said Custody of the Serjeant at Arms attending this House, be not allowed the Use of Pen, Ink, or Paper, otherwise than as Mr. Speaker shall from time to time think fit by his Warrant to authorise the same, and that Mr. Speaker be impowered to issue his Warrants accordingly.

1751, 3 *Ap*. Mr. Speaker informed the House, that the Deputy of the Serjeant at Arms attending this House had something to communicate to the House relating to the Execution of the Orders yesterday made, for removing Mr. *Murray* from his Majesty's Goal of *Newgate*, into the Custody of the Serjeant at Arms ;

And the said Deputy-Serjeant being called upon, acquainted the House, that he did yesterday communicate to the Keeper of the said Goal Mr. Speaker's Warrant for removing the said Mr. *Murray*, and that being thereupon admitted to the said Mr. *Murray*, he, the said Deputy-Serjeant, did acquaint him with the Orders of the House for his  
Removal,

Removal ; but that his Physician Dr. *Lamond* being present, and giving it as his Opinion, that it might be very improper to remove the said Mr. *Murray* that Night, and that it would be more adviseable to defer such Removal till the next Morning, he, the said Deputy-Serjeant acquiesced therein, and accordingly did this Morning, together with Dr. *Lamond*, again attend the said Mr. *Murray*, and told him, that he, the said Deputy-Serjeant, was ready to execute the said Warrants ; but that the said Mr. *Murray* then said, that he thought such Removal would be of little or no Service to him ; and that as the Application to the House was without his Knowledge, he chose, if it could be permitted, to remain where he was ; and that he also requested the said Deputy-Serjeant to inform the House, that he was extremely thankful for the Favour intended him ; and that the said Dr. *Lamond* likewise thought, that, as his Fever had left him sooner than he apprehended, it was the best way not to remove him, as nothing but Air and Exercise could be of real Service to him.

And

And the said Deputy-Serjeant being further examined, also acquainted the House, that he had found, from his Conversation with the said Mr. *Murray*, that he had been informed of the Steps which had been taken for the said Application to the House ; and that the said Mr. *Murray* expressed great Uneasiness thereupon, and used some Words of Repentment towards one of his Relations, on account of such Application being made ; saying, *It was a mean thing in him to apply to the House without his the said Mr. Murray's Consent.*

The House was moved, that the Minutes of the Information giving by Dr. *Lamond* yesterday at the Bar of this House, and of his Examination consequent thereupon, might be read ;

And the same were read accordingly.

And the House being informed, that the said Dr. *Lamond* was attending at the Door, he was called in, and being examined at the Bar, gave the House an Account in what Condition he found the said Mr. *Murray* last Night, with his Reasons for thinking it improper to have Mr. *Murray* removed at that Time ; and also acquainted the House,  
that

that the said Mr. *Murray* does not desire to be removed out of *Newgate*, unless he could have the Benefit of Air and Exercise, and was dissatisfied with the Application which had been made to this House ; and that he, the said Doctor, does not now perceive any Symptoms of the said Mr. *Murray's* having the Goal Distemper, but thinks him much better than he was yesterday, although far from being well ;

And then he withdrew.

*Ordered*, That the Orders made yesterday, for removing the said Mr. *Murray* from his Majesty's Goal of *Newgate*, into the Custody of the Serjeant at Arms attending this House, and the several Orders subsequent thereupon, relating to the said Mr. *Murray*, be revoked.

*Ordered*, That the said Mr. *Murray* do remain in the same Custody he was in, with the same Orders in relation to him as were subsisting, yesterday, before the said revoked Orders were made.

1751, 20 Nov. The House was moved, that the several Resolutions and Orders of the House relating to the  
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Honourable *Alexander Murray*, Esq; made upon the 6th Day of *February* last, and contained in the Journals of the House of the last Session of Parliament, might be read accordingly.

*A Motion being made, and the Question being proposed*, That the Honourable *Alexander Murray*, Esq; who, on the 6th of *February*, last Session of Parliament, was for dangerous and seditious Practices, in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections, ordered by this House to be committed close Prisoner to his Majesty's Gaol of *Newgate* ; and was also at the same Time ordered by this House to be brought to the Bar thereof, to receive his said Sentence there upon his Knees ; and before the said Sentence was received by him, did, by a high and most dangerous Contempt in him of the Authority and Privilege of this House, and by persisting in the same, avoid the Execution of the said Sentence, during the Remainder of the said Session of Parliament, be now committed close Prisoner to his Majesty's Gaol of *Newgate*, for the said dangerous and seditious Practices,

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in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections.

*A Motion was made, and the Question being put,* That the House do now adjourn ;

It passed in the Negative.

*Then the Question being put,* That the Honourable *Alexander Murray, Esq;* who, on the the 6th Day of *February*, in the last Session of Parliament, was, for dangerous and seditious Practices, in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections. Ordered, by this House, to be committed close Prisoner to his Majesty's Gaol of *Newgate* ; and was also at the same time ordered by this House to be brought to the Bar thereof, to receive his said Sentence there upon his Knees ; and before the said Sentence was received by him, did, by a high and most dangerous Contempt in him of the Authority and Privilege of this House, and by persisting in the same, avoid the Execution of the said Sentence, during the Remainder of the said Session of Parliament, be now committed close Prisoner

soner to his Majesty's Goal of *Newgate* for the said dangerous and seditious Practices, in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections.

It was resolved in the Affirmative.

*Ordered*, That Mr. Speaker do issue his Warrants accordingly.

*Resolved*, That the said *Alexander Murray* do receive the said Sentence, for his now being committed close Prisoner to his Majesty's Gaol of *Newgate*, at the Bar of this House upon his Knees.

*Ordered*, That the Serjeant at Arms attending this House, do take the said *Alexander Murray* into his Custody, in order to his being brought to the Bar of this House to receive the said Sentence.

1751, 25 Nov. The Serjeant at Arms attending this House, being called upon to give an Account of what had been done in Execution of the Order of the House of *Wednesday* last, for taking into his Custody the Honourable *Alexander Murray*, Esq; the Deputy of the said Serjeant at Arms, to whom the said Order was delivered, acquainted the House, that diligent Search had been made after

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in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections.

*A Motion was made, and the Question being put,* That the House do now adjourn ;

It passed in the Negative.

*Then the Question being put,* That the Honourable *Alexander Murray, Esq;* who, on the the 6th Day of *February*, in the last Session of Parliament, was, for dangerous and seditious Practices, in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections. Ordered, by this House, to be committed close Prisoner to his Majesty's Gaol of *Newgate* ; and was also at the same time ordered by this House to be brought to the Bar thereof, to receive his said Sentence there upon his Knees ; and before the said Sentence was received by him, did, by a high and most dangerous Contempt in him of the Authority and Privilege of this House, and by persisting in the same, avoid the Execution of the said Sentence, during the Remainder of the said Session of Parliament, be now committed close Prisoner

soner to his Majesty's Goal of *Newgate* for the said dangerous and seditious Practices, in Violation and Contempt of the Authority and Privileges of this House, and of the Freedom of Elections.

It was resolved in the Affirmative.

*Ordered*, That Mr. Speaker do issue his Warrants accordingly.

*Resolved*, That the said *Alexander Murray* do receive the said Sentence, for his now being committed close Prisoner to his Majesty's Gaol of *Newgate*, at the Bar of this House upon his Knees.

*Ordered*, That the Serjeant at Arms attending this House, do take the said *Alexander Murray* into his Custody, in order to his being brought to the Bar of this House to receive the said Sentence.

1751, 25 Nov. The Serjeant at Arms attending this House, being called upon to give an Account of what had been done in Execution of the Order of the House of *Wednesday* last, for taking into his Custody the Honourable *Alexander Murray*, Esq; the Deputy of the said Serjeant at Arms, to whom the said Order was delivered, acquainted the House, that diligent Search had been made after



the said Mr. *Murray*, but that he could not be found.

*Resolved*, That an humble Address be presented to his Majesty, that he will be graciously pleased to issue his Royal Proclamation, for apprehending the said *Alexander Murray*, with a Promise of a Reward for the same.

*Ordered*, That the said Address be presented to his Majesty by such Members of this House, as are of his Majesty's most Honourable Privy Council.



F I N I S

